

Daily Activity Planner for Wednesday, February 22

Legislative Committees

House Finance (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 9 a.m.

HB 26 **TRANSPORTATION BUDGET (McColley, R.)** To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs. (5th Hearing-All testimony)

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

SB 9 **SALES TAX HOLIDAY (Bacon, K.)** To provide for a three-day sales tax "holiday" in August 2017 during which sales of clothing and school supplies are exempt from sales and use taxes. (2nd Hearing-All testimony-Possible vote)

SB 36 **AGRICULTURAL LAND (Hite, C.)** To require that the computation of the capitalization rate for the purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. (2nd Hearing-Proponent)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

SB 44 **CAMPAIGN FINANCE (LaRose, F.)** To allow certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online. (1st Hearing-Sponsor)

SB 19 **PROSECUTING ATTORNEYS (Thomas, C.)** To prohibit prosecuting attorneys of counties with a population of 400,001 or more from engaging in the private practice of law. (1st Hearing-Sponsor)

SB 54 **SUMMER FOOD PROGRAMS (Brown, E., Lehner, P.)** To require school districts to allow approved summer food service program sponsors to use school facilities to provide food service for summer intervention services under certain conditions. (1st Hearing-Sponsor)

SB 10 **PRIMARY ELECTIONS (LaRose, F.)** To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (2nd Hearing-Proponent)

SB 18 **DAY DESIGNATION (Thomas, C.)** To designate September 12 as "Jesse Owens Day." (2nd Hearing-Proponent)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 121, 10 a.m.

- **Presentation from Ohio Association of Insurance Agents**

HB 27 **BWC BUDGET (Brinkman, T.)** To make changes to the Workers'

Compensation Law, to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of the Bureau's programs. (1st Hearing-BWC testimony)

Senate Transportation, Commerce & Workforce (Committee Record) (Chr. LaRose, F., 466-4823), South Hearing Rm., 10:15 a.m.

- **Confirmation hearing on governor's appointments of Capri Cafaro, Ohio Turnpike and Infrastructure Commission; Joseph Denk Jr., Board of Building Standards; Earl Dohner, Ohio Board of Motor Vehicle Repair; Eric Richter, Ohio Rail Development Commission and Frederick Treuhaft, Bureau of Workers Compensation Board of Directors**

SB 6 **BRIDGE PROGRAM (Hoagland, F.)** To extend the Ohio Bridge Partnership Program through the end of fiscal year 2019 and to require the Director of Transportation to submit a report to the Governor, Senate, and House of Representatives recommending ways to continue to fund the program. (1st Hearing-Sponsor)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Finance: Primary & Secondary Education Sub. (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 121, 12 p.m.

- **The panel will meet after Finance Committee ends or after session ends. Budget testimony from Casino Control Commission, Lottery Commission and Joint Education Oversight Committee**

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

House Finance: Higher Education Sub. (Chr. Perales, R., 644-6020), Rm. 018, 2:30 p.m. or after session

- **Budget testimony from Civil Rights Commission and Higher Education Facilities Commission**

House Finance: Health & Human Services Sub. (Committee Record) (Chr. Romanchuk, M., 466-5082), Rm. 313, 2:30 p.m. or after session

- **Budget testimony from Commission on Minority Health, Chiropractic Board, Board of Pharmacy and Medical Board**

Senate Energy & Natural Resources (Committee Record) (Chr. Balderson, T., 466-8076), Finance Hearing Rm., 2:30 p.m. or after session

- **Confirmation hearing on governor's appointment of Michael Curtin, Ohio Air Quality Development Authority**

SB 2 **ENVIRONMENTAL LAWS (Hite, C.)** To revise specified laws relating to environmental protection. (2nd Hearing-All testimony)

SB 50 **OIL GAS LAWS (Skindell, M.)** To prohibit land application and deep well injection of brine, to prohibit the conversion of wells, and to eliminate the injection fee that is levied under the Oil and Gas Law. (1st Hearing-Sponsor)

SB 53 **LAKE ERIE DRILLING (Skindell, M.)** To ban the taking or removal of oil or natural gas from and under the bed of Lake Erie. (1st Hearing-Sponsor)

House Finance: Transportation Sub. (Committee Record) (Chr. McColley, R., 466-3760), Rm. 122, 3 p.m. or after session

House Finance: Agriculture, Development & Natural Resources Sub. (Committee Record) (Chr. Thompson, A., 644-8728), Rm. 018, 3:30 p.m.

- Budget testimony from Housing Finance Agency, Air Quality Development Authority and Southern Ohio Agricultural & Community Development Foundation

House Finance: State Government & Agency Review Sub. (Committee Record) (Chr. Faber, K., 466-6344), Rm. 017, 4 p.m.

- Budget testimony from Treasurer of State, Sinking Fund, Board of Deposit, Secretary of State, Auditor of State and public testimony

House Civil Justice (Committee Record) (Chr. Butler, J., 644-6008), Rm. 114, 4 p.m.

HB 1 **DATING PROTECTION ORDERS (Sykes, E., Manning, N.)** To authorize the issuance of dating violence protection orders with respect to conduct directed at a petitioner alleging dating violence, to provide access to domestic violence shelters for victims of dating violence, and to require the Attorney General's victim's bill of rights pamphlet to include a notice that a petitioner alleging dating violence has the right to petition for a civil protection order. (2nd Hearing-All testimony-Possible amendments & vote)

HB 7 **MEDICAL PROVIDER IMMUNITY (Cupp, R.)** To grant qualified civil immunity to certain medical providers who provide emergency medical services as a result of a disaster; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to provide that medical bills itemizing charges are inadmissible as evidence and an amount accepted as full payment for medical services is admissible as evidence of the reasonableness of the charges; to specify the manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide that any loss of a chance of recovery or survival by itself is not an injury, death, or loss for which damages may be recovered; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to require that governmental agencies that receive peer review committee records maintain their confidentiality; and to clarify the definition of "medical claim." (2nd Hearing-Proponent)

HB 52 **DEED SOLICITATION (Rezabek, J.)** To regulate the solicitation of certain deeds. (1st Hearing-Sponsor)

House Armed Services, Veterans Affairs & Homeland Security (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 116, 4 p.m.

- **Organizational meeting to discuss goals and ideas for the General Assembly**

Agency Calendar

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 8 a.m.

Residential Construction Advisory Committee, Division of Industrial Compliance, 6606 Tussing Road, Training Room 3, Reynoldsburg, 9 a.m.

Racing Commission, 77 S. High St., Rm. 1960, Columbus, 10 a.m.

State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.

State Fire Council, Division of State Fire Marshal, 8895 East Main Street, Reynoldsburg, 11 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Ohio Farm Bureau Ag Day at the Capital, Sheraton Columbus Hotel, 75 State Street, Columbus

Ohio Alliance of Boys & Girls Clubs' Advocacy Breakfast, Statehouse Atrium, Columbus, 9 a.m.

Sen. John Eklund (R-Chardon) news conference on bill to update criminal justice laws, Harding Senate Press Briefing Rm., Statehouse, Columbus, 10 a.m.

Rep. Rob McColley (R-Napoleon) and Rep. Scott Ryan (R-Newark) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for McColley and/or Citizens for Scott Ryan)

Ohio Green Industry Advocacy Day Legislative Reception, Statehouse Rotunda, Columbus, 4:30 p.m.

Rep. Doug Green (R-Mt. Orab) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Committee to Elect Doug Green)

Sen. Gayle Manning (R-N. Ridgeville) fundraiser, Athletic Club of Columbus, Lounge, 136 East Broad Street, Columbus, 5 p.m., (Event Chair \$5000 | Event Host \$2,500 | Event Sponsor \$1,000 | Individual \$500 to Committee to Elect Manning)

Sen. Dave Burke (R-Marysville) fundraiser, Athletic Club of Columbus, Lounge, 136 East Broad Street, Columbus, 5 p.m., (\$1000 Host | \$500 Sponsor | \$350 Attendee to Team Burke)

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From: report@hannah.com
Sent: Tuesday, February 21, 2017 8:50 PM
To: DL_Hannah
Subject: Hannah News Stories for Tuesday, February 21, 2017

Tuesday, February 21, 2017

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

Today's Stories

- [Transportation Budget Sub Bill Increases Registration Fees](#)
- [Budget Would Set Standards for State Aid to Veterans Organizations](#)
- [Huffman Floats Unified School Voucher, Education Savings Accounts](#)
- [Opening Discussion on Federalism Moves from Academic to Controversial](#)
- [OSU Law Professor Looks at Nuances of 'Pastor Protection Bill'; Pastors Turn Out in Force in Support](#)
- [Faber Reintroduces Agency Review Bill: Replacement for 131-SB329](#)
- [State Government Roundup: ODNR; Statehouse](#)
- [Campus Chronicle: Case Western](#)
- [Judicial Actions: Opinion; Oral Arguments](#)
- [Executive Actions: Appointment; Judicial Appointment](#)
- [Legislative Schedule Changes](#)

House Committee Reports

- [Community and Family Advancement](#)
- [Criminal Justice](#)
- [Economic Development, Commerce and Labor](#)
- [Federalism and Interstate Relations](#)
- [Finance](#)
- [Finance Transportation Subcommittee](#)
- [Financial Institutions, Housing and Urban Development](#)
- [Rules and Reference](#)
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- [Ways and Means](#)

Senate Committee Reports

- [Health, Human Services and Medicaid](#)
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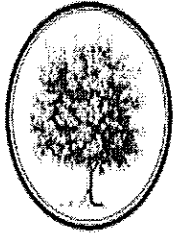
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From: The Buckeye Institute

Sent: Wednesday, February 22, 2017 1:14 PM

To: Rep76

Subject: The Buckeye Institute's Fight For Military Families Becomes Ohio's Fight



THE BUCKEYE INSTITUTE

Contact: Rea S. Hederman Jr.
(614) 224-4422 or Rea@BuckeyeInstitute.org

FOR IMMEDIATE RELEASE
February 22, 2017

The Buckeye Institute's Fight For Ohio's Military Spouses and Families Joined By Legislators

COLUMBUS, OHIO--On Tuesday, Representatives Derek Merrin (R-Monclova Township) and Theresa Gavarone (R-Bowling Green) introduced legislation in Ohio's House based on The Buckeye Institute's idea to make it easier for the spouses of military personnel stationed in Ohio to receive an occupational license in their chosen profession.

Some of you may recall Buckeye's press release and policy brief back in November highlighting the difficulties and financial hardships experienced by military families as they move from place to place. In particular, military spouses often face significant barriers in trying to maintain an active license in their profession in each state.

As we mentioned in our brief, "The Institute for Veterans and Military Families revealed that 73 percent of military spouses with an occupational license require a renewal or reissuance of their license after being transferred to a new state."

Buckeye's report called on Ohio to recognize out-of-state licenses for military spouses.

Today, we are pleased to announce that two Ohio legislators have answered that call.

Rep. Derek Merrin noted, "The Buckeye Institute is leading the way on occupational licensure reform. Buckeye's work has led to legislation that will expedite the licensure process for military members and their spouses."

Merrin and Gavarone's bill will grant full licenses to these individuals as long as the requirements for the license they held in another state are substantially similar to or more stringent than those of Ohio. For those individuals where the license they held in another state is not similar to Ohio standards, they can still obtain a "license by endorsement" and

be allowed to act within their scope of practice for up to 12 months while they meet full Ohio license standards.

Greg Lawson, Senior Policy Analyst with The Buckeye Institute said, "Families of those serving our nation deserve to be able to work in their chosen profession unencumbered by red tape as they move from state to state. This policy helps reduce this unfortunate burden for the families who are already sacrificing so much."

While Ohio still desperately needs to comprehensively reform its occupational licensing regime, any policy that makes it easier for Ohioans to work (and fights for military families at the same time!) is a step in the right direction--and we are very proud to be Buckeyes today.

###

BACKGROUND: Founded in 1989, The Buckeye Institute is an independent research and educational institution--a think tank--whose mission is to advance free-market public policy in the states.

The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.

The Buckeye Institute, 88 E. Broad Street, Suite 1120, Columbus, OH 43215

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Sent by info@buckeyeinstitute.org

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To: Rep76

Subject: Should we hold a seat for you?

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Workers Compensation Research Institute

Where Research Is a Catalyst for Constructive Change

Close to 400 people will be taking their seats next Thursday for our annual workers' compensation conference, March 2-3, in Boston, MA. **Should we hold a seat for you?**

For those still on the fence, below are three great reasons to attend.

#1) Content: WCRI's

conference is a leading workers' compensation forum that will

have you talking for months about what you learned. We have put together an agenda that focuses on some of the most significant issues facing the workers' compensation system today and for years to come, delivered by thought leaders and experts from across the country. [Click here](#) to see the agenda.

#2) Networking: You'll be hard pressed to find a better conference where you can meet and develop a network of professional workers' compensation colleagues and experts. From public officials and labor representatives to



disability claims analysts and risk managers, they all come to WCRI's conference to learn about the latest trends and network with other like-minded people who believe in data to make better decisions and improve the system. [Click here](#) to see a sample of the diverse organizations that are attending.

#3) Continuing Education Credit: Learn from leading workers' compensation professionals while you earn continuing education credit. The conference has been approved for 8 hours of continuing education credits for Certified Case Manager (CCM) and Certified Disability Management Specialist (CDMS).

Don't miss this opportunity to elevate your career, expand your knowledge, and network with your peers.

Register Now

If you have any questions, please contact Stephanie Deeley at sadeeley@wcrinet.org or 617-661-9274 ext. 261.

STAY CONNECTED



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Sent by wcri@wcrinet.org

From: Westlake, Libby
Sent: Friday, February 24, 2017 8:25 AM
To: Westlake, Libby
Subject: E-Clips for 2/24/2017

HOUSE E-CLIPS

2/24/2017

AP Associated Press

OHIO, WISCONSIN KICK-START TALKS ON MANAGING TRUMP EFFECT

Republican legislative leaders from Ohio and Wisconsin are working together, hoping other states will join them, as they prepare for changes in how the federal government under President Donald Trump deals with states.

KASICH CLEARED TO GIVE STATE OF THE STATE SPEECH IN SANDUSKY

Ohio lawmakers have signed off on the governor's plan to deliver his annual State of the State speech in Sandusky.

OHIO TASK FORCE FINDS MIXED PROGRESS ON COLLEGE COST-CUTTING

The group said too few schools have identified how resources will improve college affordability and education quality.

The Columbus Dispatch
Ohio's Greatest Online Newspaper

TRUMP-ERA CHALLENGES BRING OHIO, WISCONSIN LEADERS TOGETHER

Republican legislative leaders from Ohio and Wisconsin came together Thursday for what they hope will be an ongoing collaborative effort to prepare for when the Trump administration begins handing states more authority.

PLAN WOULD CUT PENALTY FOR MISSING FRONT PLATE

Ohio lawmakers took a small step toward reducing the penalty for missing front license plates and exempted natural gas fleets from taxation in changes Thursday to the proposed state transportation budget.

LT. GOV. TAYLOR CREATES GUBERNATORIAL CAMPAIGN COMMITTEE

It comes as no surprise, but Mary Taylor now is a formal candidate in the crowded field for the Republican nomination for governor in 2018.

KASICH SUMMONED TO HELP CRAFT MEDICAID SOLUTION AMID OBAMACARE REPEAL

Ohio Gov. John Kasich is among a small group of governors being called upon by congressional Republicans to help craft a solution to the Medicaid expansion conundrum amid the repeal and replacement of Obamacare.

Dayton Daily News
www.daytondailynews.com

NEW RULES SET FOR MEDICAL MARIJUANA USE IN OHIO

Ohio is taking steps to make sure medical marijuana isn't pitched in a way that is attractive to kids by banning cartoon characters, candy look-alikes and fruit shapes and requiring child-resistant packaging.

OHIO STEP CLOSER TO RAISING LICENSE PLATE, DRIVER'S LICENSE FEES

The Ohio House is scheduled to vote on a transportation budget bill Tuesday that includes increases in fees paid for vehicle plates and driver's licenses.

LT. GOV. MARY TAYLOR SIGNALS SHE'S RUNNING FOR GOVERNOR IN 2018

Republican Mary Taylor signaled on Thursday that she wants the top job when she filed paperwork for a new campaign committee titled: "Mary Taylor for Governor."

THE PLAIN DEALER

MARY TAYLOR FOR GOVERNOR LAUNCHES

In the surest sign yet that she will run for governor in 2018, Lt. Gov. Mary Taylor has formed a committee that allows her to begin campaigning and raising money for what stands to be a tough Republican primary.

OHIO CITIES COULD STOP PAYING PREVAILING WAGE TO CONSTRUCTION WORKERS UNDER PROPOSED BILL

Local governments could opt out of paying Ohio's prevailing wage on public construction projects under a new proposal from state Sen. Matt Huffman.

SEAN SPICER HEADLINING D.C. FUNDRAISER FOR OHIO SEN. FRANK LAROSE

White House Press Secretary Sean Spicer is headlining a Washington, D.C. fundraiser for Ohio Sen. Frank LaRose next week, according to a flier for the event.

PROPOSED LIMITS FOR MEDICAL MARIJUANA SUPPLY IN OHIO AMONG STRICTEST

Proposed limits on how much medical marijuana Ohio patients could buy and possess would be among the strictest the country.

2018 OHIO GOVERNOR'S RACE GETS MORE 'OFFICIAL' WITH MARY TAYLOR: OHIO POLITICS ROUNDUP

Taylor takes the plunge: Ohio Lt. Gov. Mary Taylor on Thursday filed paperwork forming a gubernatorial campaign committee, and a website, www.marytaylorforgovernor.com, cleveland.com's Henry J. Gomez writes.

THE ENQUIRER

SCHOOL SUBSTITUTE WAS NOT CERTIFIED, AUDITOR SAYS

The state auditor is "alarmed" after two local school districts hired a substitute who was not certified.

PARKED VEHICLES WOULDN'T BE CITED FOR MISSING FRONT PLATE

Those who want to eliminate Ohio's front license plate gained an inch Thursday.

GOP EFFORT COULD AX PREVAILING WAGE RULE FOR CONSTRUCTION

WORKERS

Ohio's cities, townships and counties could decide to pay construction workers less than the state-mandated prevailing wage under a new GOP proposal – one that a union leader says abandons the blue-collar mandate from the election of President Donald Trump.

THE BLADE

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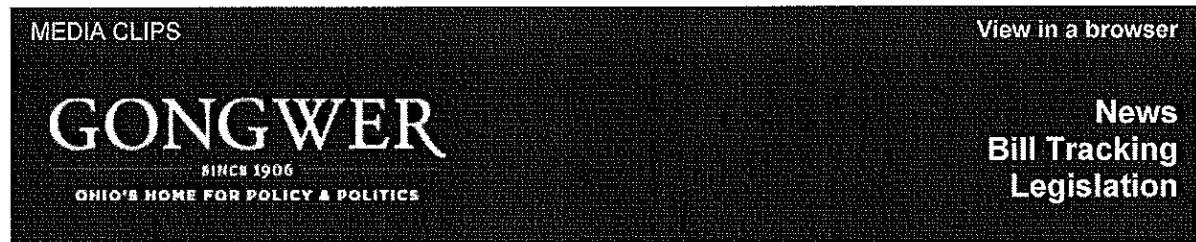
LT. GOV. TAYLOR ANNOUNCES BID FOR GOVERNOR

Lt. Gov. Mary Taylor, who has the support of current boss Gov. John Kasich, formed a committee Thursday for her own run for governor in 2018.

BUDGET PROVISION WOULD CUT VEHICLE FEES IN COUNTY

A portion of registration fees imposed on commercial vehicles would be cut in Lucas and three other counties, as part of an experiment to see if more trucks register in Ohio as a result, under a proposal headed for a House of Representatives vote next week.

From: Gongwer News Service
Sent: Monday, February 27, 2017 8:31 AM
To: DL_Gongwer
Subject: Ohio Media Clips, Monday, February 27



NEWS

Kasich cleared to give State of the State speech in Sandusky (Akron Beacon Journal, 2/27/2017)

Ohio bill outlawing marital rape gets no GOP support, again (Akron Beacon Journal, 2/27/2017)

After bitter feud, Kasich and Trump try to mend fences (Cincinnati Enquirer, 2/27/2017)

Kasich budget assumes Cincinnati could raise more taxes (Cincinnati Enquirer, 2/27/2017)

Kasich to GOP: Full Obamacare repeal 'not acceptable' (Cincinnati Enquirer, 2/27/2017)

Portman denies keeping Democrats out of political event (Cincinnati Enquirer, 2/27/2017)

Gov. John Kasich and Rep. Jim Jordan duel on TV over Obamacare repeal (Cleveland Plain Dealer, 2/27/2017)

Gov. John Kasich talks with President Trump about reforming Obamacare (Cleveland Plain Dealer, 2/27/2017)

Ohio congress members seek investigation of Jewish community center bomb threats (Cleveland Plain Dealer, 2/27/2017)

Tom Gunlock, former state school board president, leaves board (Cleveland Plain Dealer, 2/27/2017)

Capitol Insider: Kasich can relate to Trump's kerfuffles (Columbus Dispatch, 2/27/2017)

Grass-roots foes of Trump, GOP make noise in Ohio (Columbus Dispatch, 2/27/2017)

Kasich says town hall protests might be getting through to Capitol Hill (Columbus Dispatch, 2/27/2017)

Kasich, GOP at odds over Medicaid coverage (Columbus Dispatch, 2/27/2017)

Ohio may pay counties to take inmates off its hands (Columbus Dispatch, 2/27/2017)

Trump has many believers in small-town Ohio (Columbus Dispatch, 2/27/2017)

Kasich fights for federal health care funds (Dayton Daily News, 2/27/2017)

Local governments told to 'open books' (Toledo Blade, 2/27/2017)

Ohio officers tasked with keeping race, gender data (Toledo Blade, 2/27/2017)

EDITORIALS

A better death penalty for Ohio (Akron Beacon Journal, 2/27/2017)

Bickering over Gov. Kasich's traveling State of the State passes for political discourse in Ohio: Thomas Suddes (Cleveland Plain Dealer, 2/27/2017)

Keep defending Ohio Medicaid expansion, Gov. Kasich: editorial (Cleveland Plain Dealer, 2/27/2017)

Editorial: Victims seek more court leverage (Columbus Dispatch, 2/27/2017)

Governor got this right (Toledo Blade, 2/27/2017)

Right-to-work law still totally wrong for Ohio (Youngstown Vindicator, 2/27/2017)

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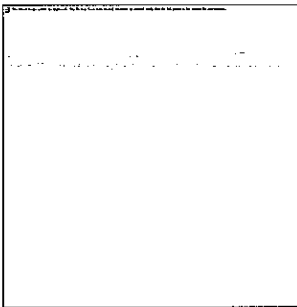
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From: Policy Matters Ohio
Sent: Monday, February 27, 2017 12:51 PM
To: Rep76
Subject: Hungry for Justice: News from Policy Matters



Policy Matters Ohio



Budget Bites: Last week we launched [Budget Bites](#) to feed your appetite for smart policy. These short pieces compare Governor Kasich's proposed 2018-2019 budget to what Ohio actually needs to thrive. Our first piece finds that the state starves [local transit agencies](#) who now face even bigger losses due to narrowing of the state sales tax base. The second one examines a [costly tax break](#) that if ended, could replenish many important programs. Hungry for more? We'll be releasing a bite or two a week.

Don't play with ACA: As Congress considers repealing the Affordable Care Act, we look closely at what the healthcare law does for people here at home. Ohioans are better off under the ACA, as [Wendy Patton explained in an op-ed](#) published in papers throughout Central Ohio. The Akron Beacon Journal [cited our work](#) in an editorial calling for Congress to preserve Medicaid expansion. Our national partner, Center for Budget and Policy Priorities [released a report](#) that shows how Congressional Republicans want to dismantle not only the ACA, but Medicaid as well. Governor Kasich has always taken a smart approach to this issue. He is now playing an important advisory role to Republicans in Congress and we'll help keep him and other Ohio electeds informed about how Medicaid and the ACA help Ohio families.



A victory for workers: We joined allies across the state and nation to oppose the nomination of fast food CEO Andrew Puzder for Secretary of Labor. Our Hannah Halbert spoke at a press conference and explained what Puzder's record of breaking labor laws could mean for the growing number of Central Ohioans working in the service industry who aren't well protected by the state. The resistance worked, Puzder stepped down, and we'll now give the replacement nominee, Alexander Acosta, close scrutiny.

There IS a free lunch: Join Policy Matters Ohio, Center for Community Solutions, Philanthropy Ohio and the George Gund Foundation for a virtual budget and tax briefing from Robert Greenstein, president of Center on Budget and Policy Priorities: March 1, 11 a.m. at Idea Center at Playhouse Square. After Bob's presentation, our director Amy Hanauer and others will make opening remarks before opening discussion with you and other attendees about how to deliver a better federal budget to our families and communities. Register **TODAY** (so we know how many free lunches to have!): e-mail info@CommunitySolutions.com.



Last week our director Amy Hanauer spoke to students and grads of Neighborhood Leadership Institute of Greater Cleveland alongside Greg Brown of Policy

Bridge. They pose here with NLI leaders Don Slocum
and Kevin McDaniel.

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From: Women's Legislative Network of NCSL
Sent: Tuesday, February 28, 2017 9:07 AM
To: Rep76
Subject: Latest news from the Women's Legislative Network



Women's Legislative Network

NATIONAL CONFERENCE OF STATE LEGISLATURES



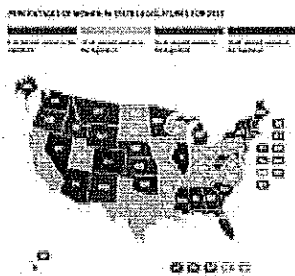
Welcome! From the Women's Legislative Network, I wish you the best for your 2017 legislative sessions. I want to extend a special congratulations to all the women who are serving their very first term! I commend your devotion to public service, and I hope that you will call upon NCSL for information and support. Please contact me personally if I can be of any assistance.

This newsletter is intended to keep you informed about women in state legislatures, NCSL resources and noteworthy news. We welcome news from your state, so please submit any items that you'd like to share with women around the country.

The mission of the Women's Legislative Network is to promote the participation, empowerment and leadership of women legislators. The network is bipartisan and includes every female legislator in the states and territories. I hope you will join us at a future event or share your ideas about what you'd like us to work on. Stay tuned for information about a leadership development meeting we will host later this year. And please mark your calendars for NCSL's Legislative Summit in Boston, August 6-9. I look forward to meeting you!

Kristin Conzet
State Representative, South Dakota
President, Women's Legislative Network of NCSL
[Email me](#)

Women in State Legislatures 2017: Numbers Virtually Unchanged



There are about 1,830 women serving in the 50 state legislatures in 2017. The overall share of legislators who are women is 24.8 percent. Though a record number of women ran for state legislative seats last year, and this is the highest number of women ever, it is a very small increase from the 2016 numbers of 1,805 women and 24.4 percent. [Review complete data here.](#)

For some context, the national share of women legislators reached 24 percent following the 2008 election, and 20 percent in 1992. For women to reach 25 percent—one-quarter of all legislators—is a symbolic milestone that will have to wait for another election.

The states with the highest percentages of women legislators are Arizona, Colorado, Nevada and Vermont. At the lower end are Mississippi, Oklahoma, West Virginia and Wyoming. There are 66 women serving in major legislative leadership positions. Six women serve as speaker of the house, and there are five women serving as senate president or president pro tem.

New Project: A Handbook of Programs Supporting Women's Leadership

We need your help! The network has hosted numerous focus groups, discussions and surveys among female legislators in recent years, and one point of common ground that arises is that legislators want to support more women running for office. We plan to offer a tool to make it easier for legislators to work with women in their communities. If you want to reach out to women, but don't know where to start, we hope that we can help. The Women's Legislative Network will develop a guidebook of programs and initiatives to support the leadership and political participation of women and girls. We intend this to be a handbook of sample initiatives that legislators can replicate and adapt in their own states.

We are interested in programs such as:

- A legislator shadowing program for school-aged girls
- A political essay contest for awards or scholarships
- A speech given to audiences of women about how they can get involved in the political process
- A women's leadership development program run by a women's caucus

We recognize that there are many wonderful trainings and programs organized by national groups (partisan and nonpartisan) and state political parties, but we are not seeking to include them here. We are interested in legislator-sponsored or legislator-originated programs that another individual legislator could replicate.

Please share what you've done using our online form [here](#).

News from State Women's Caucuses

There are at least 23 states with a women's legislative caucus. Review NCSL's list of state women's caucuses [here](#). If we have missed your state caucus, or you have any updates, please [let us know](#).

Hawaii

The Hawaii women's legislative caucus supports a package of bills every session. The caucus is composed of the female members of the house and senate and women serving on county councils. The 2017 package includes 35 bills and resolutions addressing opioid abuse, domestic violence and sexual assault, wage equity, family leave, tax credits, and child care. Review the caucus package [here](#).

Maryland

The Women's Caucus of Maryland, founded in 1972, was the first state legislative women's caucus in the nation. Today, the caucus has 66 members: all 59 women in the General Assembly, and seven men. The caucus has recently begun profiling its members with short, interesting questionnaires and videos. Their goal is to raise the profile of women in politics in the state. Review the profiles on the caucus's Facebook page [here](#).

Wyoming

The Wyoming women's legislative caucus is hosting the 10th annual Leap into Leadership conference Feb. 27-28. This year's theme is "Inspiring Women to Lead." The program features former Maine Senator Olympia Snowe and workshops about mentoring, civility, and campaigning. Program information is [here](#).

NCSL Resources

- [Free Webinar March 10: Labor and Sex Trafficking State Update](#)
- [New from NCSL: Healthcare Scope of Practice Policy Website](#)
- [Spotlight on NCSL's Early Childhood Resources](#)
- [New NCSL Autonomous Vehicles Legislation Database](#)
- [Work Matters: A Framework for States on Workforce Development for People with Disabilities](#)
- [New NCSL Podcast: Our American States](#)

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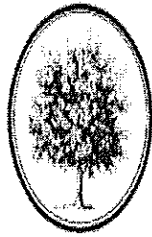
7700 East First Place, Denver, CO 80230

From: The Buckeye Institute

Sent: Tuesday, February 28, 2017 10:14 AM

To: Rep76

Subject: Postponed: Today's Lunchtime Seminar on Healthcare at Buckeye



THE BUCKEYE INSTITUTE

Friends,

Here at The Buckeye Institute, we believe in sharing ideas, not germs.

Accordingly, due to an unfortunate outbreak of strep in our office, we are postponing our lunchtime seminar on healthcare policy that was scheduled for noon today. How's that for irony?

Our goal is indeed to help solve the healthcare policy crisis, not create a new one.

We have already rescheduled, and hope you will be able to join us at noon on March 28th instead. Sorry for any inconvenience, but we trust you can appreciate our sparing you all this illness.

Chicken soup and throat lozenges can be sent to our office c/o the remaining unsick Buckeye staffers. And do stay hydrated out there!

###

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

The Buckeye Institute, 88 East Broad Street, Suite 1120, Columbus, OH
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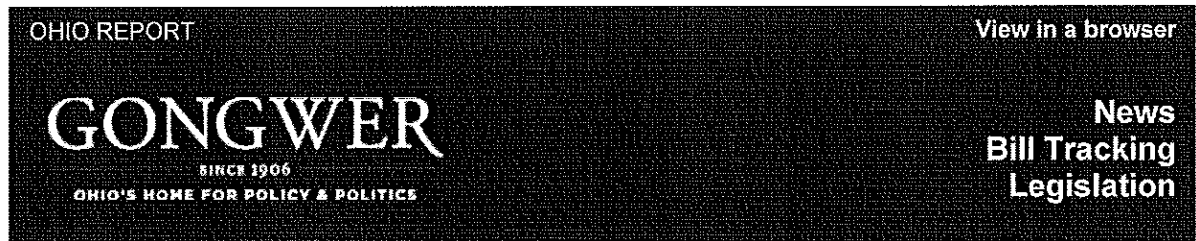
From: Gongwer News Service

Sent: Tuesday, February 28, 2017 6:18 PM

To: DL_Gongwer

Subject: Ohio Report, Tuesday, February 28, 2017

Attachments: Feb28House.htm; Feb28Senate.htm; 170228dayplan.htm; Feb28.htm



OHIO REPORT TUESDAY, FEBRUARY 28

**House Passes Dating Violence Bill As Senate Considers Making
Protection Orders More Easily Enforceable**

Agencies Balk At Some House Transportation Changes

**Tax Commissioner Defends Budget Plan As Ways And Means Review
Starts**

**ACLU Outlines 'Serious Doubts,' Others Support Bill To Increase
Fentanyl Penalties**

Opposition Persists After House Panel Adopts Civil Rights Sub Bill

Bill Adds Specification For Incapacity, Disfigurement

GOP Lawmaker Pushes Local Prevailing Wage Option

**'Cashless' Lottery Sales Among Options Discussed As Revenue
Boosters**

State Single Audit Includes 21 Findings At Six Agencies

Governor's Appointment

Supplemental Agency Calendar

Supplemental Event Planner

Senate Committee Hearings

Insurance & Financial Institutions

Local Government, Public Safety & Veterans Affairs

Transportation, Commerce & Workforce

Finance

Health, Human Services & Medicaid

Judiciary

House Committee Hearings

Ways & Means

Finance: Higher Education Sub.

Criminal Justice

State & Local Government

Economic Development, Commerce & Labor

Finance: State Government & Agency Review Sub.

ACTIVITY REPORTS

House

Senate

CALENDARS

Day Planner

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House Activity for Tuesday, February 28, 2017

INTRODUCED AND REFERRED

- HJR 2** ■ **CONSTITUTIONAL CONVENTION** (Hagan, C., Patmon, B.) Application to the Congress of the United States for a Convention of the States under Article V of the Constitution of the United States that is limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and Members of Congress.
Federalism & Interstate Relations

- HCR 5** ■ **HEALTH CARE** (Sykes, E.) To urge the Congress of the United States, and in particular the Ohio Congressional delegation, to support the preservation of the Patient Protection and Affordable Care Act of 2010.
Insurance

INTRODUCED

- HB 99** ■ **PNEUMOCONIOSIS CLAIMS** (Cera, J.) To modify workers' compensation benefit amounts for occupational pneumoconiosis claims and to create the Occupational Pneumoconiosis Board to determine medical findings for such claims. Am. 109.84, 126.30, 145.2915, 2307.84, 2307.91, 2307.97, 2317.02, 2913.48, 3121.899, 3701.741, 3963.10, 4115.03, 4121.03, 4121.12, 4121.121, 4121.125, 4121.127, 4121.129, 4121.13, 4121.30, 4121.31, 4121.32, 4121.34, 4121.36, 4121.41, 4121.44, 4121.441, 4121.442, 4121.444, 4121.45, 4121.50, 4121.61, 4123.025, 4123.05, 4123.15, 4123.26, 4123.27, 4123.291, 4123.30, 4123.311, 4123.32, 4123.324, 4123.34, 4123.341, 4123.342, 4123.343, 4123.35, 4123.351, 4123.353, 4123.402, 4123.441, 4123.442, 4123.444, 4123.46, 4123.47, 4123.51, 4123.511, 4123.512, 4123.522, 4123.53, 4123.54, 4123.542, 4123.57, 4123.571, 4123.65, 4123.651, 4123.66, 4123.67, 4123.68, 4123.69, 4123.74, 4123.741, 4123.85, 4123.89, 4123.93, 4123.931, 4125.03, 4125.04, 4131.01, 4729.80, 5145.163, and 5503.08 and to enact sections 4133.01 to 4133.16.

- HB 100** ■ **ROAD NAMING** (Lipps, S.) To designate a portion of State Route 73 in Warren County as the "Officer Bill Johnson Memorial Highway." En. 5534.93.

HB 101 ■ **EPINEPHRINE DISPENSING** (Merrin, D.) To authorize an epinephrine autoinjector substitution when a prescription is filled or refilled, to authorize epinephrine to be dispensed without a prescription under a physician-established protocol, and to declare the act the "Epinephrine Accessibility Act." Am. 4729.16, 4729.99, and 4731.96 and to enact sections 3707.60, 4729.382, 4729.46, and 4731.961.

PASSED

HB 1 ■ **DATING PROTECTION ORDERS** (Sykes, E., Manning, N.) To authorize the issuance of dating violence protection orders with respect to conduct directed at a petitioner alleging dating violence, to provide access to domestic violence shelters for victims of dating violence, and to require the Attorney General's victim's bill of rights pamphlet to include a notice that a petitioner alleging dating violence has the right to petition for a civil protection order.
91-0
Gongwer Coverage

HB 34 ■ **PUBLIC NOTICES** (Hambley, S., Ryan, S.) To authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail.
92-0
Gongwer Coverage

CALENDAR FOR COMING SESSION

HB 5 ■ **MICROBUSINESSES** (Pelanda, D., Gavarone, T.) To create a statutory definition of "microbusiness."
Wednesday, March 1

HB 26 ■ **TRANSPORTATION BUDGET** (McColley, R.) To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs.
Wednesday, March 1
Gongwer Coverage

REFERRED

Aging & Long Term Care:

HB 78 ■ **ADULT PROTECTIVE SERVICES (Retherford, W.)** To revise the laws governing the provision of adult protective services.

Armed Services, Veterans Affairs & Homeland Security:

HB 75 ■ **PROFESSIONAL LICENSES (Gavarone, T., Merrin, D.)** To establish an expedited process to grant a professional license to an individual who is on active duty as a member of the armed forces of the United States, or is the spouse of such an individual, and holds a valid license in another state.

Criminal Justice:

SB 25 ■ **PERRY COUNTY COURT (Hottinger, J.)** To create the Perry County Municipal Court in New Lexington on January 1, 2018, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County County Court on that date, to designate the Perry County Clerk of Courts as the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017 and to declare an emergency.

HB 81 ■ **DEATH PENALTY (Seitz, B., Antonio, N.)** To provide that a person convicted of aggravated murder who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense.

Economic Development, Commerce & Labor:

HB 77 ■ **CHILD CARE CENTERS (Retherford, W.)** To provide for the licensure of sick-child care centers.

HB 86 ■ **MINIMUM WAGE** (Smith, K., Craig, H.) To increase the state minimum wage to ten dollars and ten cents per hour beginning January 1, 2019.

Education & Career Readiness:

HB 80 ■ **SUMMER FOOD PROGRAM** (LaTourette, S., Smith, K.) To require school districts to allow approved summer food service program sponsors to use school facilities to provide food service for summer intervention services under certain conditions.

Federalism & Interstate Relations:

HB 79 ■ **FIREARMS TRAINING** (Retherford, W., Hagan, C.) To provide for firearms training for tactical medical professionals; to permit such a professional who has received that training and has been authorized by the law enforcement agency to carry firearms while on duty; and to grant such a professional the same right to carry a concealed handgun in this state as a concealed handgun licensee.

HB 85 ■ **HEALTH CARE COMPACT** (Retherford, W.) To enter into the Health Care Compact.

Government Accountability & Oversight:

HB 82 ■ **PROPERTY TAX FEES** (Ryan, S.) To adjust the fees allowed to county treasurers for collecting property taxes.

HB 87 ■ **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school.

Health:

HB 72 ■ **STEP THERAPY** (Johnson, T., Antonio, N.) To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid.

HB 73 ■ **PHARMACY SALES** (Rezabek, J., Koehler, K.) To prohibit sales of dextromethorphan without a prescription to persons under age 18.

State & Local Government:

HB 84 ■ **MONTH DESIGNATION** (Arndt, S., Patton, T.) To designate June as "Ohio Goes Boating Month."

Transportation & Public Safety:

HB 71 ■ **LICENSE PLATE DISPLAY** (DeVitis, T.) To specify that failure to display a license plate on the front of a motor vehicle that is required to display a front license plate is a secondary traffic offense and to establish a maximum fine of \$100 for such an offense.

HB 76 ■ **LICENSE PLATES** (Arndt, S., Gavarone, T.) To create the "Ohio National Guard Ohio Cross" license plate and the "Ottawa National Wildlife Refuge" license plate.

HB 83 ■ **OPPORTUNITY CORRIDOR** (Smith, K., Howse, S.) To designate the planned boulevard known as the Opportunity Corridor within Cleveland as the "Carl and Louis Stokes Opportunity Corridor."

HB 88 ■ **LICENSE PLATE** (Anielski, M.) To create the "Cuyahoga Valley Career Center" license plate.

Ways & Means:

HB 74 ■ **COLLEGE SAVINGS** (Huffman, S., Gavarone, T.) To increase the maximum income tax deduction for contributions to the state's 529 college savings program from \$2,000 to \$3,000 per beneficiary per year.

HB 89 ■ **SALES TAX HOLIDAY** (Patterson, J., Kelly, B.) To provide for a three-day sales tax "holiday" in August 2017 during which sales of clothing and school supplies are exempt from sales and use taxes.

COMMITTEE HEARINGS

Ways & Means

(See separate story)

Finance: Higher Education Sub.

Donna Collins, executive director of the Ohio Arts Council, testified in support of the executive budget proposal, which would allocate about \$29.6 million over the biennium.

Ms. Collins said the council plays a key role in supporting local arts operations, with grants touching all 88 counties and all legislative districts.

Ms. Collins said that a Bowling Green State University study shows that Ohio's arts sector supports more than 230,000 jobs, contributes almost \$32 billion to the economy and generates almost \$3.4 billion in annual tax revenues at all levels of government.

She said the council has instituted a number of cost-savings efforts to streamline operations, and added that OAC staff has been reduced by more than half since Fiscal Year 2008.

Ms. Collins called the flat-funded budget a "modest" public investment in the arts, noting that OAC grants generate significant matching support. The council also serves to pass through National Endowment for the Arts grant funds.

The witness told Rep. Nickie Antonio (D-Lakewood) that all NEA grants are directed to local arts projects. Ms. Collins also noted that federal funding has been stable over the last few fiscal years, but added that cuts would be devastating for local art organizations.

Rep. Mike Duffey (R-Worthington) observed that the proposed funding level matches the allocation the agency received in 2000-01, saying it would be in line for \$45 million if support had been adjusted for inflation.

He asked how the state's "landmark" arts-related groups are doing financially.

Ms. Collins said the quality of those groups has never declined, although she said several have had to dip into their endowments and investments in the recent past.

Ms. Collins said there seems to be a sense of excitement when OAC delivers funds to local arts groups.

Ross McGregor, a former House member who now serves as a board member of the Ohio Citizens for the Arts, spoke to the value of the OAC.

He said the organization, however, would like to see the agency's funding boosted by \$4 million. That increase would help move the agency closer to where it was funded at the beginning of the century.

Mr. McGregor said the arts play a key role in economic development and job creation, and said students who are involved in the arts regularly outperform non-arts students in a number of key academic programs.

Rep. Duffey told the witness there is a sense among some lawmakers that the arts should be privately funded, despite the state's long-standing role as a supporter.

Mr. McGregor said he understands the argument, but said there could be major problems if state support would disappear. "Arts and culture in Ohio will crash and burn in an epic way" without reasonable public funding, he said. "The arts that we enjoy in Ohio cannot survive" unless adequate support is available.

Criminal Justice

HB 63 **PRISON TERMS (Hughes, J.)** To require an additional prison term for felonious assault of 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, or 20 years if the offender also is convicted of a specification that charges that the harm caused by the violation resulted in a permanent, serious disfigurement or substantial incapacity or that the offender used an accelerant in committing the violation and to name the act's provisions "Judy's Law." **(CONTINUED (See separate story); 1st Hearing-Sponsor)**

HB 68 **VOYEURISM (Anielski, M.)** To include an impaired person as a potential victim of voyeurism, to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance, and to prohibit an owner, operator, administrator, or employee of a care facility from creating, sharing, reproducing, or publishing any image of a care facility resident without a proper purpose and without prior written consent from the resident. **(CONTINUED; 1st Hearing-Sponsor)**

The legislation, identical to a bill (HB439 131st General Assembly) that stalled in the last legislative session, changes the law to include an impaired person as a victim of voyeurism, sponsoring **Rep. Marlene Anielski** (R-Walton Hills) told members of the panel.

"Impaired person means a person whose ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age. The offender must know or have reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age," she said.

Subscribers Note: Full testimony is available on the [committee's website](#) under Feb.28.
State & Local Government

HB 31 **GOVERNMENT CONTRACTING (Cupp, R.)** To abolish the Government Contracting Advisory Council. **(REPORTED-AMENDED; 5th Hearing-All testimony-Possible amendments & vote)**

The committee reported the bill after adopting an amendment that revives the RECLAIM Advisory Committee and abolishes nine defunct entities missed during last year's Sunset Review process.

The entities that would be abolished, Vice Chair Rep. Steve Hambley (R-Brunswick) said, are the:

- Adult Protective Services Funding Workgroup;
- Children Services Funding Workgroup;
- Energy Mandates Study Committee;
- Health Services Price Disclosure Study Committee;
- Maritime Port Funding Study Committee;
- Medicaid Payment Rates for Dental Service Workgroup;
- Nursing Facility Behavioral Health Advisory Workgroup;
- Workforce Integration Task Force;
- Workgroup to Help Individuals to Cease Relying on Public Assistance.

Rep. Hambley said the entities have not functioned in two or three years.

Democrats supported the amendment but voiced concern that they didn't receive the list before the meeting.

"When the committee notice was sent out, there was no mention of the nine entities" slated for sunseting, Rep. Mike Ashford (D-Toledo) said.

Keith Lake, vice president of government affairs for the Ohio Chamber of Commerce, wrote in support of the bill, saying it would eliminate the Government Contracting Advisory Council, of which the Chamber is a member.

The council, created in 2005, was charged with reviewing and making recommendations for rules regarding accountability requirements for certain contracts between government and private entities. Those requirements are now integrated in contracting in Ohio.

"In light of these facts, the Ohio Chamber believes the Government Contracting Advisory Council has completed its assigned task and no longer serves a necessary or useful purpose," he wrote.

HB 39 **SNOW REMOVAL** (Arndt, S., Gavarone, T.) To authorize certain townships to require the removal of snow and ice from sidewalks abutting property.

(CONTINUED; 3rd Hearing-All testimony)

Heidi Fought, the director of government affairs for the Ohio Township Association, said the bill would give townships the same authority to require snow removal that municipalities employ.

Only townships that have had an average of five or more inches of snow during per year over the past 10 years would be allowed to adopt a resolution requiring snow removal.

Ms. Fought said the bill is permissive and would not require townships to pass a resolution.

Rep. Rick Carfagna (R-Genoa Twp.) asked if townships would be able to establish carveouts or exemptions, such as in the case of elderly residents.

"It is very flexible. It gives those townships the ability to write their policy that clearly addresses the needs of their residents," Ms. Fought said.

HB 40

STATE SPENDING (Dever, J., Greenspan, D.) To require the Treasurer of State to establish the Ohio State Government Expenditure Database.

(CONTINUED; 3rd Hearing-All testimony)

Greg Lawson, senior policy analyst for the Buckeye Institute, testified in support of the bill, saying it would make the government more accountable to citizens.

"We have long argued that showing Ohio taxpayers how their elected officials spend their hard-earned tax dollars will help citizens better understand what their government does," he said. "And with that better understanding, citizens will ask better questions, encourage more effective change, and demand greater fiscal accountability. Over time, a more informed citizenry leads to better, more efficient, and responsive government-a goal on which everyone here can agree."

Codifying **Treasurer Josh Mandel's** OhioCheckbook would protect the program from future political maneuvers, he said.

"The Buckeye Institute applauds the cooperative relationship forged between Mr. Mandel's office and many of Ohio's local governments," he said. "Hundreds of local governments already have displayed their own 'checkbooks' online at Ohio Checkbook. But this effort is just the beginning. True transparency won't be achieved until every governmental unit has made its account books fully available online for you, me, and every Ohioan to inspect."

Rep. Rick Perales (R-Beavercreek) asked about the separate budget website run by the Office of Budget and Management.

"Can we afford to have two systems like that run by two agencies?" he asked.

Mr. Lawson said the state shouldn't waste money, but the two systems are different, and more transparency is better.

HB 51

AGENCY REVIEWS (Faber, K.) To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review. (CONTINUED; 3rd Hearing-Opponent)

Two representatives of labor unions submitted written testimony in opposition to the bill.

Becky Williams, president of SEIU 1199, said the union was opposed to the bill because she said it could have consequences for state employees and the services Ohioans rely on.

"The threat of expiration and elimination of not only state departments, but potentially thousands of living wage jobs, does not bode well for the workers who have the experience and skills necessary to execute their duties in an efficient manner," she wrote. "This threat also puts incredible stress on workers' families who depend on a stable income."

Adam McKenzie, research analyst for the Ohio Civil Service Employees Association, wrote that Ohio already has effective sunset laws, and that the proposal would only serve as a destabilizing force in state government.

"Reviews of states' sunset processes show that House Bill 51 would take Ohio into uncharted waters," he wrote. "While plenty of other states employ a sunset process for boards, commissions, legislation - and a handful even review cabinet-level agencies - House Bill 51 would put Ohio far afield in terms of the frequency of reviews, the lack of a dedicated

review apparatus, the complexity of the renewal process, and lack of executive representation in the process."

HB 54 **REVENUE OBLIGATIONS** (Blessing, L., Gavarone, T.) To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities. (CONTINUED; 2nd Hearing-All testimony)

Deputy Treasurer Seth Metcalf said the bond bank would allow local governments to secure bonds from the bank.

"The bill generally requires the Treasurer to create groups for pooled issuances so that similarly rated entities are grouped together," he said. "The Treasurer's office will handle the issuance of the bonds, including the preparation of the necessary legal disclosures and the marketing. After the sale is complete, the bond bank then loans the money to the local governments included in those bond proceedings."

Mr. Metcalf said the program is optional for local governments, and that they can request a loan for a project that is considered a permanent improvement.

"The bond bank can potentially provide significant cost savings to local government issuers through reduced interest rates and reduced costs of issuance through economies of scale," he said.

HB 59 **DAY DESIGNATION** (Leland, D., West, T.) To designate October 7 as "Moses Fleetwood Walker Day." (CONTINUED (No testimony); 2nd Hearing-All testimony)

HB 65 **SANITARIAN REVIEWS** (Hill, B.) To require the Director of Agriculture and the Director of Health to adopt rules governing reviews of registered sanitarians and sanitarians-in-training who conduct inspections of retail food establishments and food service operations. (CONTINUED; 1st Hearing-Sponsor)

Sponsor Rep. Brian Hill (R-Zanesville) said the bill, a reintroduction of legislation from the last session (HB551, 131st General Assembly) would change how health inspectors at local health departments are evaluated.

"There have been changes to the way the state is currently conducting the evaluations that have been overzealous and have caused confusion among regulators and operators alike," he said. "HB65 is designed to promote collaborative efforts between the state, local health department inspectors and operators while prioritizing food safety for Ohioans."

The bill would place to focus of inspections on critical violations that cause foodborne illness, he said.

"Under HB65, health inspectors will continue to enforce the entire food code, but they will be allowed to use common sense and conduct risk-based inspections that focus on critical violations," he said. "Doing so will allow them to better protect Ohioans from getting sick as a result of the food they eat."

Subscribers Note: Full testimony is available on the committee's website under Feb. 28. **Economic Development, Commerce & Labor**

HB 2 **CIVIL RIGHTS LAWS (Seitz, B.)** To modify Ohio civil rights laws related to employment. (CONTINUED-SUBSTITUTE (See separate story); 3rd Hearing-All testimony-Possible amendments)

HB 42 **UNSAFE TIRES (Sprague, R., DeVitis, T.)** To prohibit the installation of unsafe used tires on certain motor vehicles. (CONTINUED; 2nd Hearing-Proponent)

Committee members spent more than an hour questioning proponents on the bill as they sought to determine whether it would give sellers of new tires a leg up on competitors who sell used tires.

Rep. Anthony DeVitis (R-Green), the bill's joint sponsor, ultimately denied that, saying the bill is no different from regulations in any other industry to protect consumer safety.

"I'm not a big regulatory type of guy," he said, "but this really is a protection bill. It's about consumer safety."

Rubber Manufacturers Association Director of Government Relations Courtney Titus Brooks called the measure a "common sense regulation of used tires."

"HB 42 seeks to weed out those tires that every tire professional can and should know poses an unreasonable risk to motorist safety," she said. "Simply put, if you're in the business of selling tires, you should know not to sell tires that match the conditions listed in this legislation."

Rep. Alicia Reece (D-Cincinnati) asked whether the group had received feedback from smaller tire retailers or used tire sellers. Ms. Brooks replied that a pair of small resellers who attended last week's interested parties meeting was on board with the bill's language. Chairman **Rep. Ron Young** (R-Leroy) added that used tire sellers have given positive feedback so far, based on that recent meeting.

Rep. Ron Hood (R-Ashville) said it "looks more like the purpose (of the bill) is to boost new tire sales. Why can't we call a spade a spade?"

RMA Senior Vice President Dan Zielinski denied that, saying that low income consumers looking to purchase used tires aren't necessarily going to purchase new tires if those used ones are removed from the market.

"I can say with 100% certainty as an initiative of this industry this was not in any way geared to promote new tire sales," he said.

Rep. Al Landis (R-Dover) likened the bill to regulations preventing the sale of unsafe automobiles.

Ohio Tire and Automotive Association Legislative Director Alex Boehnke said the bill "puts forth sensible measures that will prohibit the sale of unsafe used tires while protecting both consumers and businesses alike."

He said the OTAA has many members that are sellers of used tires and said the group worked with sponsors to ensure the bill won't negatively impact that segment of the industry and alleviate initial concerns. He added that the bill is aimed at sellers who are knowingly selling faulty tires.

Responding to Rep. Landis, Mr. Boehnke said wholesalers would weed out many of these faulty tires before they reach retailers.

Cooper Tires and Rubber Company Director of Global Quality Jeff Schroeder also voiced his support, saying, "Passage of this legislation will limit the number of unsafe used tires placed into service and we believe will contribute to fewer incidents of tire failures that may result in injuries or worse."

Submitting written testimony in support were Property Casualty Insurers, the Ohio Conference of AAA Clubs, the Ohio Chamber of Commerce, the Ohio Trucking Association, Continental Tire, and the Ohio Manufacturers' Association.

Subscribers Note: For full testimony see the [committee's website](#) under Feb. 28.

Finance: State Government & Agency Review Sub.

State Employment Relations Board Chair Craig Zimpher told the panel that the proposed biennial budget allows SERB and the State Personnel Board of Review to effectively continue their operations.

The consolidation of administrative funds for SERB and SPRB has allowed for the realization of economies of scale and increased productivity, Mr. Zimpher explained in [testimony](#).

The two boards oversee the employer/employee relationship in Ohio's public sector in separate capacities, he said.

"During the last six years, we have implemented a process designed to reduce the friction costs of adjudication," Mr. Zimpher said in a statement.

In the majority of cases, SERB requires the parties to start the mediation process before beginning the formal and costly hearing process. In more than half of such referrals, reconciliation is reached without the formal process, he said.

The biennial budget recommends funding of approximately \$4.0 million in both FY 2018 and FY 2019 to cover the operating expenses of SERB and SPBR, a slight increase from the estimate for FY 2017. (**Red Book**)

The budget proposal provides adequate support for SERB to continue to mediate and adjudicate caseloads, and to continue educational and training programs, Mr. Zimpher told the panel.

Rep. Jim Butler (R-Oakwood) inquired about the 11.6% increase for FY 2017 compared to the actual spending total in FY 2016.

Director Christine Dietsch said SERB is anticipating the costs of a 2.5% wage increase for state employees, higher employee health insurance costs, and an increase in OIT expenses, among others. She said SERB will provide more information to the Chairman.

Mr. Zimpher told Rep. Butler that SERB board members are on salary of approximately \$97,000 and do receive benefits because they are restricted to have other employments.

This is in contrast to SPRB where board members receive a lower salary but are reimbursed for parking and travel expenses.

In a follow up, Rep. Butler asked hypothetically how SERB would respond to being funded at 5-10% less than requested. Mr. Zimpher replied that they would certainly need to reduce staff and thus operate less efficiently.

Chairman **Rep. Keith Faber** (R-Celina) asked if there is an argument against merging the boards for SERB and SPBR since the administrative costs have already been consolidated. Ross McGregor, former House member and now SPBR board member joined Mr. Zimpher in addressing the committee.

Mr. McGregor told Chairman Faber that the boards are distinct in their functions and areas of law, with SPBR's focus area being on the individual level.

While understanding the desire to find efficiency, he said it is his opinion that consolidating the tasks of the two entities would be difficult to manage efficiently and effectively.

Mr. Zimpher told **Rep. Steven Arndt** (R-Port Clinton) that he did not anticipate the board's caseload to increase if health care changes went into effect because so few cases originate from this process.

Board of Tax Appeals: The subcommittee's review continued with the testimony of Kathleen Crowley, executive director of the Board of Tax Appeals.

The total proposed budget is \$1,850,307.00 in FY2018 and \$1,886,042.00 in FY2019. This request is a decrease from our 2016-2017 biennium. (**Red Book**)

The proposed budget for Fiscal Year 2018-2019 will allow the BTA to continue to operate fulfill its mission, Ms. Crowley explained.

If funded below the requested amounts, the BTA will need to reduce its staff which will likely result in multi-year backlogs like they have had in the past, customer delays, and an "unnecessary tie-up of taxpayer dollars," she said.

In response to Rep. Butler's question about the funding increase from 2015-2017, Ms. Crowley replied that during that time the BTA hired addition staff to eliminate the backlog. Additionally, the BTA created an online filing system requiring a subscription fee and began paying rent for their facility.

Ms. Crowley told Rep. Butler that the BTA has accounted for a negotiated increase in healthcare benefits for last biennium and used a multiplier of 10% to account for annual increases in wages and health care expenses.

Joint Committee on Agency Review: Director Larry Wolpert addressed the committee on the panel's goals and accomplishments within the past biennium.

In the past five years JCARR has redesigned its website, has incorporated the use of iPads for meetings, spearheaded adding Ohio's public universities' rules to the Administrative Code, and created JCARR Twitter and Facebook accounts among others, Mr. Wolpert said in his testimony.

In 2017 it is JCARR's goal to implement a rewritten Electronic Rule Filing system, to have completed a new "easy read" Rule Summary and Fascial Analysis, and to upgrade the JCARR and RuleWatch websites.

"These enhancements will make it easier for agencies to submit rules to JCARR and therefore reduce time and costs," he said in a statement.

JCARR has requested no change in its operating budget, which totals \$512,253 a year over the next biennium. (**Red Book**)

Mr. Wolpert told the panel that the proposed budget will allow JCARR to meet its current statutory responsibilities, goal and objectives.

Joint Legislative Ethics Committee: Executive Director Tony Bledsoe testified on his group's budget.

JLEC is not a law enforcement agency. Rather, it is a bipartisan advisory office focused on the prevention of ethics violations working with many law enforcement agencies, Mr. Bledsoe said in his testimony.

Mr. Bledsoe drew special attention to JLEC's request to the House for an amendment repurposing the JLEC Investigative Fund to become the JLEC Investigative Financial Disclosure Fund.

This change would eliminate the problematic step in which the Controlling Board's approval is required to appropriate funds for confidential investigations, he said.

There are no fiscal changes to the budget request submitted by JLEC for the next biennium, totaling \$700,000 for each fiscal year. (**Red Book**)

Mr. Bledsoe said the budget will be sufficient to continue to provide the current level of services.

Public Testimony: Mayor Paula Hicks of the City of Toledo urged the subcommittee to heed municipalities' concerns about the Governor's proposal for centralized collection of the municipal business income tax. (See **Gongwer Ohio Report, February 7, 2017**)

Toledo like many other municipalities is supported by revenue collected from municipal business taxes for services such as police and fire, roads maintenance, safe drinking water, garbage collection, and snow removal among others, Mayor Hicks said in her testimony.

Mayor Hicks shared the following concerns on behalf of the City of Toledo:

--The proposal will charge cities 1% to collect Business Income Taxes resulting in an additional 1% cost to Toledo.

--The State will have to hire additional personnel to collect income taxes, where Toledo already has a very efficient method of auditing taxpayers.

--In repealing the "throwback rule" municipalities like Toledo will lose revenue from income generated by businesses in other locations.

--The proposed changes will make it more difficult for the taxpayer and is not business friendly, she said.

Mayor Hicks told Chairman Faber that the Ohio Municipal League and Mayors coalition hold the same position.

George Sarantou, Director of Finance for the city, told the panel that the City of Toledo stands to lose \$60,000-70,000 annually if the throwback rule is eliminated.

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Senate Activity for Tuesday, February 28, 2017

COMMITTEE HEARINGS

Insurance & Financial Institutions

SB 24 **LOAN ACT (Terhar, L.)** To create the Ohio Consumer Installment Loan Act. (REPORTED; 3rd Hearing-Opponent & interested party-Possible vote)

The committee voted to report the bill, with **Sen. Sandra Williams** (D-Cleveland) opposed. Kalitha Williams, policy liaison for asset building at Policy Matters Ohio, said she had concerns with the bill and asked for amendments to protect consumers against problems associated with payday lending.

"Many payday loan companies are starting to offer installment loans," she said. "The loans are designed to appear less harmful, but are still exploitative to financially vulnerable families."

These installment loans sometimes have high interest rates and fees, making it difficult for the loan to be repaid without reborrowing, she said.

Ms. Williams pointed to differences between the legislation and the Ohio Mortgage Loan Act that she said would increase costs and remove consumer protections. The OMLA includes provisions of the federal Fair Debt Collection Practices Act that the proposed legislation does not.

The proposed bill would raise the maximum credit investigation fee from \$10 to \$25, she said.

Sen. Lou Terhar (R-Cincinnati), the bill's sponsor, said the federal debt collection policies would not apply to lenders under the proposed Consumer Installment Loan Act because that law only applies to third-party debt collectors. The CILA license created under SB24 would only apply to the lenders themselves.

"The federal Fair Debt Collection Practices Act specifically exempts those who collect their own debt," Sen. Terhar said.

The bill narrowly defines what lenders would be included, Sen. Terhar said. Adding new provisions to deal with entities that aren't affected by the CILA would complicate the legislation and defeat the purpose of setting installment lenders aside from other kinds of lenders, he said.

SB 29 **BANKING LAW (Coley, B., Oelslager, S.)** For the purpose of enacting a new banking law for the State of Ohio. (CONTINUED (No testimony); 3rd Hearing-Opponent & interested party-Possible vote)

Chair **Sen. Jay Hottinger** (R-Newark) said he expects the bill will be voted on at the committee's next meeting.

Local Government, Public Safety & Veterans Affairs

SB 37 **POLICE CHIEF TRAINING (Hite, C.)** To require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course

for newly appointed village, city, and township chiefs of police.

(CONTINUED; 2nd Hearing-Proponent)

Ada Police Chief Michael Harnishfeger, a past president of the Ohio Association of Chiefs of Police, touted the measure, saying that it's backed by more than 86% of the state's police chiefs.

He said requiring police chiefs to attend 40 hours of training within six months of their appointments is "critically important" as most communities don't provide such an opportunity. "I'll never forget my first day as chief of police; I walked into the office with no supervisor education or any idea of the laws governing the chief's job," Mr. Harnishfeger said. "There on the desk was a badge that said 'Chief of Police' and the keys to the city. From that moment on, I was in charge of a 20-officer department and any important or critical decisions to be made regarding the safety and security of our community ultimately came to me, including, even life-and-death decisions."

The Ohio Peace Officer Training Commission and a number of Ohio police chiefs worked for about 18 months, he said, on a core curriculum that would include: diversity training with an emphasis on historical perspectives and community-police relations; fundamentals of local governments; ethics; sexual harassment issues; implicit bias; procedural justice; records retention and public records; situational leadership; budgeting; recruitment, and more.

Attorney General Mike DeWine supported the bill through written testimony. He said that his office would like the sponsors to consider expanding the definition of newly-appointed chiefs of policy, but overall, the bill "is a great first step in helping to ensure that future police chiefs receive the best possible training to prepare them to be both a steward of the public trust and a leader of peace officers."

SB 7

PROTECTION ORDERS (Bacon, K., Manning, G.) To provide that service of a protection order or consent agreement upon a person is not necessary for the person to be convicted of the offense of violating a protection order if the person had actual notice of the order or agreement and the person recklessly violated its terms. (CONTINUED (See separate story); 2nd Hearing-Proponent)

SCR 3

PETE ROSE (Thomas, C., Burke, D.) To urge the Commissioner of Major League Baseball to remove Peter Edward 'Pete' Rose from Major League Baseball's permanently ineligible list as soon as possible, and to urge the Baseball Writers' Association of America and the National Baseball Hall of Fame to include Rose on the Hall of Fame ballot. (CONTINUED; 1st Hearing-Sponsor)

Pete Rose, a Cincinnati native, is Major League Baseball's all-time leader in hits, at bats, games played, and he is the only player to play more than 500 games at five different positions, sponsoring Sen. Cecil Thomas (D-Cincinnati) said.

As the Cincinnati Reds' former manager and a seventeen-time all-star, Mr. Rose is "unquestionably a great American athlete," he said.

However, MLB has determined that Mr. Rose is ineligible to be enshrined in the Hall of Fame as a result of his ban from baseball in 1989 for betting on games.

"It is time that Peter Edward Rose is welcomed back into baseball," Sen. Thomas said.

"'Charlie Hustle' is more than deserving of induction into the National Baseball Hall of Fame in Cooperstown, New York."

Governor's Appointments: The committee recommended full Senate confirmation of the governor's appointments of: Deanna Harris to the State Board of Emergency Medical, Fire, and Transportation Services; Thomas Tallman and Dudley Wright, II to the State Board of Emergency Medical, Fire, and Transportation Services; and Matthew Noble to the State Fire Council.

Transportation, Commerce & Workforce

HB 26 **TRANSPORTATION BUDGET (McColley, R.)** To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs.

(CONTINUED (See separate story); Informal hearing-Agency testimony)

Governor's Appointment: The committee recommended full Senate approval of the governor's appointment of Frederick Treuhaft to the Bureau of Workers' Compensation board of directors.

Finance

SB 45 **UNCLAIMED FUNDS (Williams, S.)** Regarding payment to a registered finder of unclaimed funds. (CONTINUED; 1st Hearing-Sponsor)

Sen. Sandra Williams (D-Cleveland) explained that the bill was introduced at the request of a constituent who assists in the retrieval of unclaimed funds held by the state.

Ohio currently has an estimated \$2.6 billion in unclaimed funds, according to the Department of Commerce Division of Unclaimed Funds.

The bill would help ensure that finders of unclaimed funds who have an approved contract on file at the Department of Commerce receive payment for their services, Sen. Williams said in her testimony.

"Under current law, finders cannot receive more than 10% of a claim and the finder's fee is directly paid to the owner or client instead of the finder. Senate Bill 45 simply requires the director of the budget and management to withhold from an unclaimed funds payment any legal amount in agreement to compensate a registered finder and to pay that amount directly to the finder," Sen. Williams said.

She explained that under the legislation, OBM would issue two checks, one to the funds finder for his or her fee and one to the owner for the balance as opposed to one check to the owner.

Sen. Williams said the bill will create a fair system upholds the government's responsibility to ensure a "favorable business environment" where everyone is paid for their services.

Sen. Williams explained to Sen. Charleta Tavares (D-Columbus) that many people who are notified of their unclaimed funds ask for the assistance of the finder. The state requires a contract for such transactions dictating a negotiated payment from owner to finder that under this legislation the owner would have to adhere to.

In response to the inquiry of **Sen. Dave Burke** (R-Marysville), Sen. Williams said that there is precedent for the state acting as a mediator for the collection of unclaimed funds and the proposed bill would reestablish the old procedure of doing so.

Sen. Burke asked if the state would receive an administrative fee to compensate for time administered.

Sen. Williams replied that the state would not collect an administrative fee, however the state will continue to keep all accumulated interest on unclaimed funds for its own use.

Governor's Appointments: The committee recommended full Senate confirmation of the governor's appointments of: Gregory Battle and Nancy Kohnen Cahall, Cincinnati State Technical and Community College Board of Trustees; Sandra Drabik Collins, Miami University Board of Trustees; James Doyle, Sharon Evans, and Bradley Phillips, Clark State Community College Board of Trustees; Lynn Stevens, Southern State Community College Board of Trustees; Lewis Adkins, Jr., University of Akron Board of Trustees; Alan Stockmeister, The Ohio State University Board of Trustees; Uwe Eickert and John Hoty, Terra State Community College Board of Trustees; Linda McNew Nelson, North Central State College Board of Trustees; Darryl Mehaffie and Thomas Milligan, Edison State Community College Board of Trustees; Edwin Nagle, III and H. Richard Rowe Jr., Owens State Community College Board of Trustees; Bradley Schwartz, Thomas Shepherd and Ronald Vonderhaar, Financial Planning and Supervision Commission for City of Norwood; Susan Tate, Ohio Higher Educational Facility Commission and Kristy Wilkin, Southern State Community College Board of Trustees

Health, Human Services & Medicaid

SB 27 **MONTH DESIGNATION (Beagle, B.)** To designate the period beginning March 13 and ending April 15 as "Ohio Deaf History Month." (**REPORTED;** 2nd Hearing-All testimony-Possible vote)

The committee, which unanimously reported the measure, heard from a handful of deaf Ohioans who testified in favor of recognizing the period between March 12 and ending April 15 as Ohio Deaf History Month.

They signed their support and interpreters translated their messages to the committee. Witnesses were representing the Zanesville Deaf Program Alumni Association and Citizens of Deaf Cultures. Written testimony was also provided by Friends of Libraries for Deaf Action. Greg Belhorn, whose daughter is deaf, said Deaf History Month could shine a light on her community.

"It's my hope that Ohio Deaf History Month will foster the opportunity for people to learn about deafness and Deaf culture. It is my hope that people can learn, just as my wife and I have, that it is not a thing to be uncomfortable with or pitied," he said.

"It's my hope that regardless of what my daughter chooses to do professionally or personally, people don't look at her and say, 'Isn't that great she can do that even though she's deaf?' He continued. "If people have an understanding of deafness, its history, and its culture then they would know the only thing a deaf person cannot do is hear."

SB 57 **AWARENESS DAY (Kunze, S.)** To designate the seventeenth day of May as "Diffuse Intrinsic Pontine Glioma Awareness Day." (CONTINUED; 1st Hearing-Sponsor)

Sen. Stephanie Kunze (R-Hilliard) said the bill was proposed by a pharmacist in her district who is familiar with the type of childhood cancer.

"Diffuse intrinsic Pontine Glioma are highly aggressive and difficult to treat brain tumors found at the base of the brain, she said. "DIPG affects the pons portion of the brainstem, rendering nervous system function impossible."

Symptoms include double vision, inability to close the eyelids completely, dropping one side of the face, and difficulty chewing and swallowing. Unfortunately these symptoms usually worsen rapidly because the tumor is rapidly growing," the sponsor continued. "DIPG, for all its difficulties, presents an opportunity for all forms of cancer. It is one of the most resistant of all cancers to chemotherapy treatments and it affects primarily children."

The Centers for Disease Control recently announced that brain tumors have becoming the leading cause of death for children and DIPG is the second most common type of brain tumor found in children, Sen. Kunze said.

"May is Brain Tumor Awareness Month across our country, and having this day of recognition for the deadliest pediatric brain tumor would be a meaningful step for Ohio to take to stand in solidarity with the families who have had to confront this disease," she said.

Governor's Appointments: The committee recommended the confirmations of: Mark Bechtel to the State Medical Board; Jeffrey Hagman to the State Board of Orthotics, Prosthetics and Pedorthics; Heath Hughes to the Ohio Advisory Council for the Aging; Angela King, Carrie Spangler and Helen Mayle to the Board of Speech-Language Pathology and Audiology; Diane Cunningham Redden, Marian Schuda and Denise Shockley to the Ohio Advisory Council for the Aging; and Barbara Sears as director of the Department of Medicaid.

Judiciary

HB 4 **COCAINE OFFENSES (Cupp, R., Rogers, J.)** To provide that in determining the amount of cocaine for trafficking and possession offenses, it also includes a compound, mixture, preparation, or substance containing cocaine, and to declare an emergency. (CONTINUED; 1st Hearing-Sponsor)

Rep. Robert Cupp (R-Lima) and **Rep. John Rogers** (D-Mentor-on-the-Lake) briefed lawmakers on the need for the bill, which they said arose after the 2016 Ohio Supreme Court decision in *State v. Gonzales* and a separate decision in *State v. Sanchez*.

The former decision, which has drawn the most attention, found the law requires police are not to consider filler material when determining the amount of cocaine an offender possesses.

Sponsors of this bill and a similar, but not identical, Senate bill (**SB 42**) said that decision undermines law enforcement's ability to charge high level offenders and is already having an adverse impact on public safety.

In response, the House bill would remove the words "of cocaine" from ORC section 2925, which sponsors said would negate the problem of the Supreme Court's interpretation moving forward.

"As the law now stands, drug dealers and traffickers are incentivized to possess and traffic in larger quantities of cocaine because the penalty would be of no greater consequence if the dealers and traffickers are apprehended with large quantities rather than smaller quantities," Rep. Rogers said. "This is an incentive that must not be left in place."

Rep. Cupp said sponsors do have an amendment they are preparing that would remove the phrase in other areas of Revised Code.

Sen. Michael Skindell (D-Lakewood) and **Sen. Cecil Thomas** (D-Cincinnati) raised some of the same concerns they've raised in prior testimony on SB 42 - namely that the bill would double down on failed practices that have overloaded Ohio's prisons.

Reps. Cupp and Rogers agreed in theory to some of their colleagues' points, but said that discussion is best left to another time.

"At the present time, I think there is an urgency to repair the law we have," Rep. Cupp said.

"This is a time-sensitive issue."

Calling it a "tough issue," Chairman **Sen. Kevin Bacon** (R-Minerva Park) asked members to alert him to any of their concerns and said he intends to have a committee vote after the measure has received three hearings.

SB 1

DRUG OFFENSES (LaRose, F.) To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances.

(CONTINUED (See separate story); 3rd Hearing-All testimony)

SB 40

AGGRAVATED MURDER (Eklund, J., Williams, S.) To provide that a person convicted of aggravated murder who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense. (CONTINUED; 2nd Hearing-Proponent)

A trio of proponents testified on the bill, including former Ohio Supreme Court Justice Eve Stratton who said the bill "in no way absolves defendants of legal responsibility for their crimes."

Ms. Stratton, who helped draft the bill, said the defendant has the burden of raising the issue of mental illness under the bill, after which a pre-trial hearing would be held in which the defendant has the additional burden of providing evidence to meet serious mental illness criteria.

"The state may then respond with evidence to rebut the defendant's diagnosis and/or the defendant's capacity at the time of the offense," she said. "Only if the trial judge finds that the state refutes the presumption by a preponderance of the evidence, is the defendant eligible for the death penalty. If the trial judge finds that the state refutes the presumption by a preponderance of the evidence, the defendant may submit the issue to a jury at trial."

She said sponsors and interested parties have tried to work with the Ohio Prosecuting Attorneys Association which is opposed to the bill. But she said they have reached the point that further concessions would reduce the effectiveness of the bill.

Chairman Bacon questioned language that would commute a death sentence, if voided, to a minimum sentence of 30 years. Is that enough, he asked, for a young offender given the potential severity of the crime. Ms. Stratton replied that she'd be fine with such sentences being commuted to an automatic life sentence.

Sen. Matt Huffman (R-Lima) questioned how the bill would handle a situation in which a defendant with a serious mental illness was taking medication to control the illness at the time of the crime.

Ms. Stratton said in her experience defendants rarely take their medication in such instances and sometimes are unable to recognize or admit their illness. If such a case arose, she said, witness testimony would likely be used to argue the medication was or was not effective at managing the illness.

Responding to **Sen. Sean O'Brien** (D-Hubbard), Ms. Stratton said proponents would be pleased to see the list of five mental illnesses expanded in the bill. She said sponsors stuck to just five illnesses to ease the bill's passage.

"We would love it if you wanted to expand it and add more," she said, "but the edges start getting fuzzy when you start adding categories."

Reginald Wilkinson, former director of the Ohio Department of Rehabilitation and Correction, also testified, describing the disorganized thinking, delusions, paranoia, trouble with logical thinking and other trademark symptoms of those with a serious mental illness.

"I support SB 40 because I saw time and again how people with serious mental illness wind up on death row," Mr. Wilkinson said. "These impairments make them less culpable than someone who does not suffer from serious mental illness; they cannot, therefore, be the true 'worst of the worst' and should not receive the ultimate sentence."

Ohio Justice and Policy Center Executive Director David Singleton testified that competency determinations, the insanity defense, and mitigation do "serve important roles" in the system but that "none of these concepts adequately protect seriously mentally ill defendants from receiving the death penalty and being executed."

"As a result, Senate Bill 40 is essential to ensuring that seriously mentally ill defendants will be punished but will not be given the death penalty," he said.

Mr. Singleton shared a concern expressed by **Sen. Peggy Lehner** (R-Kettering) that the bill would exclude some relevant illnesses.

But he said those with other illnesses could still raise that subject in mitigation. Although he did acknowledge that juries often misunderstand such illnesses and find them as aggravating rather than mitigating factors when that approach is taken.

SB 42

DRUG OFFENSES (Eklund, J.) To expressly provide that drug offense penalties that refer to a particular type of drug also apply to a compound, mixture, preparation, or substance containing a detectable amount of that drug and to declare an emergency. **(CONTINUED (No testimony); 2nd Hearing-Proponent)**

SB 67 OFFENDER REGISTRY (Gardner, R., Hite, C.) To require the Attorney General to establish a violent offender registry and to name this act "Sierah's Law." (CONTINUED; 1st Hearing-Sponsor)

Sen. Randy Gardner (R-Bowling Green), testifying on behalf of his cosponsor **Sen. Cliff Hite** (R-Findlay), described the 2016 Fulton County murder of 20-year-old University of Toledo student Sierah Joughin.

In the wake of that murder, he said, more than 10,000 signed an online petition pressing for a violent offender registry to be established. The bill would do just that by requiring the Ohio Attorney General to create a registry by the end of 2017.

The bill "provides some guidance" but does not mandate what felonies would be included or how the registry would be implemented, he said.

"It is likely that the county sheriffs would be primarily responsible for local implementation but that is to be decided by the Attorney General and the General Assembly through the legislative process," Sen. Gardner said.

Only five states currently maintain such registries and all vary in their set up, he said.

"We know we have written this legislation in such a way that provides significant discretion to the attorney general to establish the registry," Sen. Gardner said. "We know too that the legislature may prefer to be more specific in terms of those crimes that would be included."

Sen. Bill Coley (R-Liberty Twp.) questioned whether there is evidence violent offenders often repeat their violent behavior, similar to what is seen of those on the sexual offender registry.

Sen. Gardner said the committee can expect to receive "opinions all over the board" on that issue and others in relation to the bill. Responding to a follow up question from Sen. Coley, Sen. Gardner said the experience in other states with such a registry has been "mixed."

"Generally, those officials in those states have been supportive of the fact they've had that available in their state," he said, noting again that the states vary greatly in which offenses qualify for inclusion on the list.

Sen. Peggy Lehner (R-Kettering) said the sexual offender registry regularly captures people that shouldn't be included. How would that be prevented under this new registry, she asked. "There is nothing prescribed in this bill that says which offenses, which felonies would be included," Sen. Gardner said, reiterating that that determination would be left to the attorney general.

Sen. Cecil Thomas (D-Cincinnati) said he'd prefer more detail in the bill.

"If we're going to do this it needs to be very specific," he said.

Sen. Gardner, agreeing, said the sponsors simply wanted to put a bill forward in order to start discussion on the topic.

Governor's Appointments: The committee recommended full Senate approval for the appointments of Emily Passias to the Ohio Peace Officer Training Commission and Julie Rutter to the Ethics Commission.

Subscribers Note: For full testimony see the [committee's website](#) under Feb. 28.

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger,
Jon Reed, Staff Writers

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Daily Activity Planner for Wednesday, March 1

Legislative Committees

House Finance: Agriculture, Development & Natural Resources Sub. (Committee Record) (Chr. Thompson, A., 644-8728), Rm. 018, 9 a.m.

- Budget testimony from Development Services Agency and Expositions Commission

House Finance: Transportation Sub. (Committee Record) (Chr. McColley, R., 466-3760), Rm. 122, 9 a.m.

- Budget testimony from the Judiciary/Supreme Court, Judicial Conference and the Adjutant General

House Finance: Primary & Secondary Education Sub. (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 116, 9 a.m.

- LSC school funding presentation

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

SB 65

SALES TAX HOLIDAY (Brown, E.) To provide a three-day sales tax "holiday" each April during which sales of qualifying Energy Star products are exempt from sales and use taxes. (1st Hearing-Sponsor)

HB 11

TAX LAWS (Scherer, G.) To expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law. (1st Hearing-All testimony-Possible amendments & vote)

SB 36

AGRICULTURAL LAND (Hite, C.) To require that the computation of the capitalization rate for the purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. (3rd Hearing-All testimony)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

- Confirmation hearing on governor's appointments of NeCole Cumberlander and Rowena Yeager, State Board of Cosmetology

HB 32

CASINO EMPLOYEES (Seitz, B.) To specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility. (1st Hearing-Sponsor)

SB 62

DAY DESIGNATION (Yuko, K.) To designate July 8 as "Harrison Dillard Day." (1st Hearing-Sponsor)

SB 15

SET-ASIDE PROGRAMS (Tavares, C.) To require community colleges, state community colleges, technical colleges, and university branches to

comply with minority business enterprise set-aside requirements, and to require the Director of Administrative Services to establish guidelines for these entities, and the Northeast Ohio Medical University, to establish procurement goals for contracting with EDGE business enterprises. (1st Hearing-Sponsor)

SJR 1

CONSTITUTIONAL AMENDMENTS (Huffman, M.) Application to the Congress of the United States for a Convention of the States under Article V of the Constitution of the United States that is limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and Members of Congress. (1st Hearing-Sponsor)

SB 44

CAMPAIGN FINANCE (LaRose, F.) To allow certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online. (2nd Hearing-Proponent)

SB 18

DAY DESIGNATION (Thomas, C.) To designate September 12 as "Jesse Owens Day." (3rd Hearing-All testimony-Possible vote)

House Higher Education & Workforce Development (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 115, 10 a.m.

HB 58

CURSIVE HANDWRITING (Brenner, A., Slaby, M.) To require instruction in cursive handwriting. (1st Hearing-Sponsor)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 121, 10 a.m.

HB 28

IC BUDGET (Brinkman, T.) To make appropriations for the Industrial Commission for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of Commission programs. (1st Hearing-Industrial Commission testimony only)

HB 27

BWC BUDGET (Brinkman, T.) To make changes to the Workers' Compensation Law, to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of the Bureau's programs. (2nd Hearing-Proponent)

~~Canceled: Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.~~

House Finance: Health & Human Services Sub. (Committee Record) (Chr. Romanchuk, M., 466-5082), Rm. 313, 12 p.m. or after session

- **Budget testimony from Opportunities for Ohioans with Disabilities and Department of Developmental Disabilities**

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

~~Canceled: Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.~~

Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), South Hearing Rm., 1:30 p.m.

- **Confirmation hearing on governor's appointment of Laura Kohler, State Board of Education**

SB 8 **SCHOOL TECHNOLOGY & SAFETY** (Gardner, R., Terhar, L.) To require the Ohio School Facilities Commission to establish a program assisting school districts in purchasing technology and making physical alterations to improve technology infrastructure and school safety and security. (2nd Hearing-Proponent)

SB 39 **SCHOOL OPERATIONS** (Schiavoni, J.) Regarding community school operator contracts, the operation of Internet- and computer-based community schools, and performance metrics for blended learning schools. (1st Hearing-Sponsor)

House Finance: State Government & Agency Review Sub. (Committee Record) (Chr. Faber, K., 466-6344), Rm. 122, 2 p.m. or after session

- **Budget testimony from Inspector General, Ethics Commission, Elections Commission, CSRAB and public testimony**

House Finance: Higher Education Sub. (Committee Record) (Chr. Perales, R., 644-6020), Rm. 018, 2:30 p.m. or after session

- **Budget testimony from chancellor of the Ohio Department of Higher Education**
- **Senate Energy & Natural Resources** (Committee Record) (Chr. Balderson, T., 466-8076), Finance Hearing Rm., 2:30 p.m.
- **Confirmation hearing on William Siplivy, Reclamation Forfeiture Fund Advisory Board**

SB 31 **SEWAGE SYSTEMS** (Eklund, J.) To authorize a board of county commissioners or municipal legislative authority to elect to withdraw the county or municipal corporation from the application of any rule adopted by the Department of Health after January 1, 2014, that governs the design of household sewage treatment systems. (1st Hearing-Sponsor)

SB 51 **LAKE ERIE** (Skindell, M., Eklund, J.) To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement. (1st Hearing-Sponsor)

SB 58 **DAY DESIGNATION** (Skindell, M.) To designate the last Saturday of September as 'Ohio Public Lands Day.' (1st Hearing-Sponsor)

SB 2 **ENVIRONMENTAL LAWS** (Hite, C.) To revise specified laws relating to environmental protection. (3rd Hearing-All testimony)

Agency Calendar

Banking Commission, 77 South High Street, 21st Floor, Columbus, 10 a.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Graduation Requirements Workgroup, 25 S. Front St., Columbus, 4 p.m.

Event Planner

American Heart Association/American Stroke Association Advocacy Day, Capitol Theatre Lobby, Riffe Center, 77 S. High St., Columbus

Ohio Statehood Day

Rep. Kyle Koehler (R-Springfield) fundraiser, Athletic Club of Columbus, 136 E. Broad Street, Columbus, 8 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Kyle Koehler)

2017 Ohio Cable Telecommunications Association legislative luncheon, Columbus Renaissance Hotel, 50 N. Third Street, Columbus, 12 p.m., (Guest Speaker: James Rosen)

Southwest Ohio Advocacy Day Reception, Athletic Club, 136 E. Broad St., Columbus, 3:30 p.m.

Sen. Frank LaRose (R-Hudson) fundraiser, Oracle Townhouse, 27 D. Street South East, Washington, DC, 4 p.m., (\$1,000 Host | \$250 Sponsor | \$50 per person to LaRose for Senate)

~~Canceled: Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Capital Club, 41 S. High Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Committee to Elect Cliff Rosenberger)~~

Capitol Square Foundation presents "We the People: A Conversation", Statehouse, Columbus, 5:45 p.m., (Event kicks off Enriching the Experience II, an effort to raise \$1.5 million for upgrades of exhibits and technology throughout the Statehouse Museum.)

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Volume #86, Report #39 -- Tuesday, February 28, 2017

House Passes Dating Violence Bill As Senate Considers Making Protection Orders More Easily Enforceable

A key House measure expanding protections against dating violence is headed to the Senate.

House members on Tuesday voted unanimously to approve the bill (HB 155) that would extend protection orders to dating relationships.

They also voted 92-0 to advance a measure (HB 345) authorizing certain state agencies, local governments, boards, commissions and officers to deliver 29 different notices by ordinary mail and electronically instead of by certified mail.

This is the third time the chamber has given full support to the dating violence bill, having passed it twice in the last General Assembly.

The measure was amended into a Senate protection order bill on the final day of lame duck, but wasn't brought up for a concurrence vote amid concerns that it was too "complicated." (See Gongwer Ohio Report, December 9, 2016)

Sponsoring Rep. Emilia Sykes (D-Akron) said Ohio is behind the eight ball when it comes to providing protection orders for those outside of a marriage, cohabitating or shared parenting relationship.

If passed, Ohio would be the 49th state to have some type of intimate partner violence protection orders in place, she said.

"For far too long, Ohio's antiquated domestic violence laws have left thousands of Ohioans vulnerable to dating violence," Rep. Sykes said after the vote. "My colleagues and I agree: it is past time to pull Ohio out of the dark ages and join the rest of the country in protecting victims of abuse. I am pleased we were able to come together in a bipartisan manner to help bring Ohio's domestic violence protections into the 21st Century."

Dating violence is on the rise, particularly among young women, she said. According to the U.S. Department of Justice, women ages 16-24 experience violence in their relationships at a rate of three times the national average.

A floor speech urging her colleagues to once again support the bill turned emotional as Rep. Sykes said she was thinking of 31-year-old Brittany Littlejohn of Akron who was shot dead by her boyfriend last week.

"I hope that you will stand with me in supporting House Bill 1, to support victims of dating violence across the state and ensure that no one has to bury a child, no one has to bury their mother, no one has to bury a friend because the state has done absolutely everything that we could to protect victims of dating violence," she said.

Rep. Nathan Manning (R-N. Ridgeville), who stepped in for former Rep. Christie Kuhns to co-sponsor the bill, said he's learned about the power of protection orders.

Many prosecutors tell women that they need to take steps to protect themselves and not rely on court orders, he said, "but in looking at some statistics, this is more than just a piece of paper."

He pointed to studies that found women who had obtained protection orders were significantly less likely to see continued physical violence from an intimate partner.

In the last General Assembly, the measure was paired with a protection order bill that has also since been reintroduced and is currently moving through the Senate Local Government, Public Safety & Veterans Affairs committee.

The Senate priority legislation (SB 7) would allow for the conviction of individuals who violate protection orders that they're aware of, despite not having been officially served paperwork.

Phyllis Carlson-Riehm, who represents ACTION OHIO Coalition For Battered Women, told the Senate panel on Tuesday that a change in law is necessary.

"It is a well-known fact that many abusers successfully avoid service of protection orders. When law enforcement officers appear at their home or place of employment, they refuse to come forward to be served as friends, family members or co-workers shield them from receipt of the legal document," she said.

"Law enforcement officers become frustrated with the cat and mouse game and resent wasting their time and energy. As a result, law enforcement may not prioritize serving protection orders, which are then unenforceable."

An investigation into Cuyahoga County practices found that of 445 orders issued between January 2015 and March 2016, 127 were never served, Ms. Carlson-Riehm added.

"That means that 127 victims and their families did not benefit from Ohio law designed to help keep them safe," she said. "Often violent felons are the most successful at evading service, creating high risk situations and terror in the lives of their victims and their families."

The Ohio Prosecuting Attorneys Association and Ohio Domestic Violence Network also offered support for the measure.

Agencies Balk At Some House Transportation Changes

Agency leaders on Tuesday spoke out against several changes members of a House panel made to Gov. John Kasich's transportation budget.

Department of Transportation Assistant Director James Barna told members of the Senate Transportation, Commerce & Workforce Committee that two changes to the bill (HB 264) are unnecessary and potentially costly. (Redbook)

One such change would require the study of an Eastern Bypass in the Cincinnati area, which Mr. Barna said would result in a duplicative effort.

"We oppose this proposal because Kentucky is already doing a study on this issue that includes both states," he said. "Spending money on a second study would only duplicate their efforts. We are cooperating with Kentucky and look forward to continuing our collaboration after the results of their work are published."

The change was originally intended to be an alternative to the costly repair or replacement of the Brent Spence Bridge. (See Gongwer Ohio Report, February 21, 2017) However, language referring to an alternative was removed before the bill cleared the House Finance Committee. (See Gongwer Ohio Report, February 23, 2017)

Another change made in the House committee requires limited access exit and entrance ramps on interstates every four miles in urban areas with cities that have a population of more than 30,000 and counties with populations of more than one million.

"The department was not consulted prior to the inclusion of this language," Mr. Barna said. "We have processes in place to make decisions about new interchanges that are based on safety or traffic needs. This mandate addresses neither. In addition, it would cost hundreds of millions of dollars to implement, which means that more deserving projects would not get built."

Mr. Barna, as ODOT Director Jerry Wray had during previous testimony, also touted planned investments in transportation technology, including "Smart Mobility" corridors and pilot projects to implement variable speed limits and "hard shoulder running" in certain areas. (See Gongwer Ohio Report, February 2, 2017)

"When we talk about smart infrastructure or a smart mobility corridor, we're talking about sensors, cameras, Wi-Fi and fiber," he said. "We're talking about infrastructure that can actually provide information to the vehicle and the vehicle operator."

Sen. Gayle Manning (R-N. Ridgeville) asked how that technology would work in practical terms.

Mr. Barna said it will allow vehicle-to-vehicle and vehicle-to-infrastructure communication, allowing the department to recognize problems on a roadway, such as black ice or debris, and respond more quickly.

Tax Commissioner Joe Testa also spoke out against the House's removal of language that would alter the point at which the Motor Fuel Tax is collected and would have subjected compressed natural gas to the 28-cent-per gallon tax.

Currently, the tax is paid at the wholesale level, giving business owners about a month after purchasing the motor fuel to sell it and collect taxes from customers before paying taxes to the state. The executive proposal would have allowed the tax to be collected at the refinery rack beginning in 2018. (See Gongwer Ohio Report, February 9, 2017)

"This change would better align the motor fuel taxpayer base with Ohio's petroleum activity tax, as well as with the manner of motor fuel taxation at the federal level and in many other states," he said. "The number of taxpayers would be reduced from about 585 to close to 100. By moving the point of taxation up in the distribution chain, other states have realized benefits from the better tracking of fuel."

The change in the point of collection for the tax could generate as much as \$92 million per year in revenue, according to the Legislative Service Commission.

On the removal of language that would have levied the MFT on CNG, Mr. Testa told the panel, "CNG-powered vehicles cause wear and tear on Ohio roadways in the same manner as conventionally-powered vehicles, but yet sales of CNG do not contribute to the upkeep of those roadways."

Chairman Sen. Frank LaRose (R-Hudson) acknowledged that issue is difficult because other alternative fuel vehicles, such as hydrogen and electric, are not subject to the tax and asked Mr. Testa if there is a compromise to be had.

"I think the methodology would have to be different," Mr. Testa said, pointing to the difficulty in counting miles driven by those types of vehicles.

Asked by Sen. Charleta B. Tavares (D-Columbus) about the impact that alternative fuel vehicles have had on MFT receipts, Mr. Testa said he is unsure, but the revenue has been relatively stable.

The tax commissioner also spoke out against a change that would retain current law on MFT credits for losses due to shrinkage and evaporation, saying it's no longer necessary "due to industrial and technological advances."

Randy Cole, executive director of the Turnpike and Infrastructure Commission, touted the increasing use of technology on the turnpike and sought to alleviate any concerns about autonomous vehicles on the roadway.

"Self-driving truck technology and platooning are not an effort to put drivers out of work," he said. "Under federal guidelines, a driver is permitted to drive about 70 hours in eight days, or about 2,500 miles per week. If the technology can safely extend their productivity by a couple of hours a day, and they still get credit for miles when they are resting, tomorrow's drivers can make more money and spend more time at home. But

most importantly, we'll all be safer because the technology will virtually eliminate drowsy driving and significantly reduce distracted driving."

Testimony was also provided by the Ohio Rail Development Commission. Executive Director Matt Dietrich told the panel that in 2014, Ohio companies shipped 134.8 million tons of freight, which is the equivalent of 7.5 million trucks, out of the state.

Michael Miller, director of the Public Works Commission, testified that his agency has more than 1,800 active infrastructure and Clean Ohio Projects and more than 2,400 active loans.

Ohio Development Service Agency Director David Goodman said the Roadwork Development Grant will receive \$15.2 million in each year of the biennium. The grant provides assistance to local governments for road improvement projects that will spur economic development.

John Born, director of the Department of Public Safety, delivered testimony similar to that which the House panel heard. Mr. Born lauded the department's efforts to make roadways safer and take drugs off the streets. (See Gongwer Ohio Report, February 2, 2017)

With Ohio leading the way in drug overdoses across the country, Sen. Manning questioned if other states are seizing as many drugs from the streets.

Mr. Born said the increase in drug interdictions is two-fold: a concerted effort to elevate criminal patrol to the same level as highway safety and the fact that Ohio is a transportation crossroads.

Overall, the transportation budget calls for the spending of \$3.97 billion in Fiscal Year 2018 and \$3.85 billion in FY 2019, according to the Legislative Service Commission's spreadsheet.

Tax Commissioner Defends Budget Plan As Ways And Means Review Starts

A key architect of Gov. John Kasich's ongoing push to overhaul the state's tax code laid out the administration's arguments Tuesday before the House Ways & Means Committee, where Tax Commissioner Joe Testa is expected to return at some point to field further questions.

Mr. Testa's imminent resumption of the discussions - he has been slated to reappear before the committee on March 9 - has as much to do with the breadth of the governor's tax plans in the biennial budget (HB 49) as the abbreviated nature of the panel's first hearing on the bill, which was cut short so members could caucus ahead of the full session later in the morning.



Joe Testa

As such, only two lawmakers got to pose questions to the state's tax chief before Chairman Rep. Tim Schaffer (R-Lancaster) dropped the gavel on the hearing. He said the commissioner would return at some point as the committee, which is operating as a budget subcommittee of House Finance, continues its deliberations over the bill's tax-related provisions. (See Gongwer Ohio Report, February 24, 2017)

Rep. Michael Henne (R-Clayton), a chief sponsor of fairly recent law changes impacting the municipal tax code (HB5, 130th General Assembly), asked Mr. Testa to expand on his comments regarding the governor's plan to centrally collect business taxes for cities with an eye toward simplification and uniformity for business interests. (See Gongwer Ohio Report, February 7, 2017)

Reflecting concerns raised by cities regarding the proposals, Rep. Henne asked about the Department of Taxations resources to do the work, worries that the local taxes would someday be diverted and whether the administration also had eyes on centralized collection of individual taxes paid to municipalities.

Mr. Testa said ODT is better positioned to collect and disburse the business income taxes because it has a "greater bandwidth" of experience given its current administration of other statewide taxes, a larger database of taxpayers, closer connections to the Internal Revenue Service and improvements tied to data analytics investments that will "help us do a much better job in ensuring compliance."

Absent further legislative action, he said the only thing the administration could retain from cities is the 1% processing fee included in the bill. He added that cities will also get interest payments from the state on their collections.

As for the final component of Mr. Henne's query, Mr. Testa said, "We don't have any plans at all" regarding individuals' municipal income taxes.

Despite what some municipal officials have stated, he said, "This is not really a focus on municipalities. It's a focus on business."

Mr. Testa said the area of municipal business taxes is "where the problems are."

On another front, Rep. Teresa Fedor (D-Toledo) questioned the plan to eliminate the \$50 credit for campaign contributions, arguing that it's a beneficial tax break focused on regular citizens rather than major donors such as lobbyists.

Rep. Fedor, saying she doesn't focus on lobbyists when raising campaign cash, said eliminating the credit "runs counter to reform" as characterized by the administration. "It's deform for many of the citizens who want to be politically active," she said.

After commenting that no consideration was given as to which party benefited most by the credit, Mr. Testa replied, "It costs Ohio \$3.6 million and only 1% of our filers use it. It seems unnecessary."

Ms. Fedor also asked the tax commissioner for his thoughts about repealing the "pink tax" on feminine hygiene products, which she said would only result in about \$3-4 million a year in foregone revenue to the state. Mr. Testa said if the legislature decided to exempt the products, then ODT would act accordingly.

Commissioner's Testimony: Most of the hearing was consumed by Mr. Testa's testimony on the budget plans, a good portion of which has already been panned by legislative leaders opposed to further "tax shifting." (See Gongwer Ohio Report, January 25, 2017)

One of the more likely components to clear the GOP-led General Assembly is what he described as the "business-friendly" move toward state administration of municipal income taxes applied to net profits:

Under the governor's plan, he said, "ODT will propose rules, prescribe forms, process returns, distribute revenues, issue refunds, bill and assess delinquencies, audit for non-compliance, handle appeals, certify debts, and perform other administrative functions on a go-forward basis."

"Businesses stand to benefit from greater uniformity and lower compliance costs," Mr. Testa said. "Under the proposal, business taxpayers will file one return through the OBG, as opposed to filing a return with each municipality in which the business operates. ODT will propose one set of rules to govern net profits tax collection, not rules that may differ from one municipality to the next. Tax appeals will be more consistent, with appeals being made to one central independent body, like other state administered taxes, not to each municipality."

Mr. Testa said cities would also benefit, in part because the 1% fee ODT will charge is less than many pay for third-party tax processing. He provided the panel a chart indicating that most cities would not lose any revenue under the plan and would in fact gain funding.

"Furthermore, municipalities stand to benefit from improved compliance which will result in increased revenue," he said. "This is made possible through ODT's greater economy of scale, data analytics, and access to a business's filings for multiple tax types."

Additionally, fewer obstacles for business filing will make Ohio municipalities more attractive for business growth and relocation."

The administration also proposes to eliminate what it deems as an outdated "throwback rule."

"The throwback rule is a practice which can distort and inflate business tax liability by sourcing sales at their origin instead of at their destination, often resulting in sales being attributed to the business's primary location," Mr. Testa said. "Having sales sourced to their destination is a consistent practice which better serves businesses. Destination-based sourcing is the predominant method used for other taxes administered by ODT and for those imposed by other states. The throwback rule also ignores the reality of internet sales companies, which have no employees soliciting sales in municipalities where purchased items are eventually delivered."

The overall thrust of the governor's package is a continued shift toward sales taxes and away from income taxes. The plan entails the shift of billions in taxes, mainly between those categories, but would result in a relatively modest overall tax cut.

Key to Mr. Kasich's proposal is a further reduction in income tax rates and the flattening of the state's bracket setup.

"While Ohio's tax environment has improved significantly over the past six years, Ohio must continue to further reform its tax structure to attract entrepreneurs, investors, and businesses considering locating and growing their businesses here," Mr. Testa said. "This tax proposal will provide the income tax reductions required to keep Ohio competitive for job creation while transitioning toward a modern consumption-based tax system that's built for a 21st century economy. Not all taxes are created equal. An overreliance on income taxes discourages economic growth more than other types of taxation."

On the sales tax side, Mr. Testa said the plan to "reflect changing economic realities" would include increasing the state's levy from 5.75% to 6.25% and a "modest expansion of the sales tax base to cover additional discretionary services." He provided the panel with data indicating the resulting rates would still compare favorably with other states and that "the tax savings for individual taxpayers due to income tax rate reductions and expanded personal exemptions and low income tax credits exceed the estimated increases in sales tax liability."

The budget would also establish "greater uniformity in the Commercial Activity Tax" by making two adjustments, the tax commissioner said.

"Applying the CAT to interest payments collected on loans would provide greater tax equity. This provision would eliminate the exception of those companies who do not currently pay FIT, CAT, or any other similar business tax," he said. "The second proposal would provide greater tax parity for suppliers of distribution centers."

The governor is also returning to the legislature with some previously rejected proposals regarding tobacco taxes. Mr. Testa sought to deflect some past criticisms of the plans with data on border county sales and enforcement.

Tobacco-related provisions include a per-pack tax increase for cigarettes from \$1.60 to \$2.25, a one-time floor tax on already-stamped cigarettes, a reduction of 1.8% in the tax stamp discount, an increase in the "other tobacco products" tax from 17-69% of wholesale, and a "vapor products tax" of 69%. Mr. Testa said the overall goal of the latter proposals is to equalize the taxes on various forms of tobacco.

The governor is also taking a run at increasing other "sin taxes" in the budget.

"Ohio's tax structure on alcoholic beverages is outdated and needs modernization to reflect today's economy and marketplace. Excise taxes on beer and wine have remained unchanged since 1992," Mr. Testa said. "During this time, inflation has significantly eroded tax collections. To account for the effects of inflation and to equalize rates with those established in 1992, this proposal includes a 70% rate increase for most types of alcohol, other than spirituous liquor."

The tax commissioner said the increases would equate to about a penny apiece per beer or glass of wine. The plan also "simplifies" the beer and wine tax structure with other adjustments, including how the beverages are categorized for tax purposes, and the elimination of advanced tax payments for brewers he said. Another change reflects recent law updates on alcohol content in beer.

Mr. Testa also returned to administration arguments regarding the proposed severance tax increase, mainly that the oil and gas industry aren't paying their fair share of taxes and that Ohio's rates are among the lowest in the nation. He provided panelists charts to support those claims.

The tax proposal includes a 6.5% market value-based tax at the wellhead and a 4.5% rate for gas and natural gas liquids sold downstream, he explained.

"Ohio has experienced tremendous oil and gas drilling activity in recent years, with record production of oil, gas, and natural gas liquids filling pipelines and other distribution methods across the state and region. While this drilling activity has benefited many out-of-state companies, most Ohioans have not been enriched by the sizable wealth that has been extracted from the ground underneath us," Mr. Testa said.

"Ohio has made significant strides to modernize its oil and gas regulatory framework but the state is still relying on a severance tax structure that has remained relatively unchanged for over 30 years. The volume-based, fixed rate structure of the severance tax, levying only 20 cents on a barrel of oil and 3 cents on an mcf (thousand cubic foot) unit of natural gas, is a relic of a bygone era and is the lowest severance tax rate in the nation. This tax proposal updates Ohio's severance tax structure to ensure that all Ohioans benefit from ongoing oil and gas activity while still maintaining a competitive tax structure to encourage industry growth."

Mr. Testa also outlined several plans to simplify the state's tax code, many of which were devised by ODT staff. They include: eliminating taxes on natural gas extracted for personal use by people with wells on their property; abolishing administrative fees related to donations on tax returns; adjusting the real property tax appeals process; and streamlining severance permit applications.

"To conclude, I'd like to reiterate that this tax proposal is about jobs and how we best foster an environment which promotes job creation," Mr. Testa said. "The provisions included in this proposal provide the necessary tax modernization, tax simplification, and municipal tax restructuring to attract job growth here in Ohio for years to come. We have achieved considerable success over the past six years; we must continue that momentum."

ACLU Outlines 'Serious Doubts,' Others Support Bill To Increase Fentanyl Penalties

The ACLU of Ohio cautioned a Senate panel Tuesday regarding a priority measure that would increase penalties for the possession of the opioid fentanyl.

It was one of several pieces of testimony delivered to the Senate Judiciary Committee Tuesday during the third hearing on the bill, along with testimony from two families grappling with losing children to drug addiction.

The bill (SB 1), which passed the Senate last year (SB237, 131st General Assembly), aims to crack down on fentanyl by increasing penalties for drug trafficking violations involving such compounds, revising certain sentencing guidelines and adding lisdexamfetamine to the list of Schedule II controlled substances in Ohio.

ACLU Chief Lobbyist Gary Daniels told the panel the group supports efforts to combat drug trafficking and addiction.

"However, the ACLU of Ohio has serious doubts SB1 will meaningfully effect the overall problem of fentanyl use, abuse, possession, and trafficking because of its exclusive focus on punishment and conviction," he said. "SB1 will unquestionably lead to more people - both the low-level addicts and large-scale traffickers - in our state prisons for longer times, presenting further struggles for a system severely overcrowded for decades."

He also echoed previous skepticism from Democratic committee members that the bill would elevate low-level drug offenses such as possessing marijuana unknowingly laced with fentanyl.

Lawmakers, he said, should take a "wait and see" approach and let the Criminal Justice Recodification Committee complete its work before pursuing such a change.

"The ACLU of Ohio urges this committee to reject the failed and counterproductive approaches of the past and develop a new framework and strategy to meaningfully address these serious problems affecting Ohioans everywhere," Mr. Daniels said.

His testimony was in contrast to the written and in person testimony received from other witnesses.

Brenda Ryan described losing her daughter, Sheena, to a fentanyl overdose on June 9. Her daughter, she said, engaged in a multi-year struggle to overcome addiction up until that point.

"The devastation that my family has endured since my daughter's death has been mentally and physically crippling," she said. "I urge this Judiciary Committee to consider enhancing sentencing guidelines on these lethal, synthetic drugs coming in from other countries."

Akron Say NO to Dope Inc. Executive Director Tugg Massa, who described himself as a former drug dealer, said the bill's passage would send a message to dealers.

"I believe stronger sentencing guidelines would greatly reduce the death toll in our communities across Ohio," he said.

Another parent, Travis Bornstein, submitted written testimony about the death of his son due to a fentanyl overdose.

And Ohio Real Estate Investors Association Government Affairs Director Daniel Acton said his group too supports the bill. Specifically, the group remains grateful for language amended into the bill last session that makes it clear landlords and property owners cannot be charged with permitting drug abuse unless they knowingly permitted it to occur, he said.

"Landlords are in a very precarious position oftentimes as it relates to tenant activities," Mr. Acton said. "We have a legal duty to respect the privacy of the tenants and cannot and should not monitor their every movement; however, our members do maintain a level of due diligence by talking with neighbors and working with law enforcement, if necessary, to keep tabs on our investments."

Opposition Persists After House Panel Adopts Civil Rights Sub Bill

Consternation among opponents continued regarding a pending civil rights bill (HB 2) after a divided House panel on Tuesday adopted a substitute version Republicans hoped would quell concerns.

Meanwhile, Rep. Ron Young (R-Leroy), chairman of the House Economic Development, Commerce & Labor Committee, said he wants to give interested parties plenty of time to weigh in on the measure being pushed by the business community given the subject matter.

"I do expect more amendments," Rep. Young said in an interview, adding there's no firm timeline on bringing the bill to a vote. "I think there's more to talk about on this bill. I want to get it right. It's important."

Tuesday marked the third hearing for the bill sponsored by Rep. Bill Seitz (R-Cincinnati) which is the latest version of a business-backed proposal opponents say have been introduced in some form for at least the last 16 sessions.

Sponsors and proponents say the bill, which is chiefly championed by the Ohio Chamber of Commerce, aims to align Ohio civil rights law with its federal counterpart to give businesses more predictability.

"HB2 increases efficiency, allows for greater predictability, and improves Ohio's legal climate," Ohio Restaurant Association Director of Government Relations Joe Rosato wrote in written proponent testimony.

But opponents say it would enable employees and supervisors to harass or discrimination against others in the work place and leave victims with no recourse.

"I am really troubled with this bill and I believe with this country right now we have so many bullies and this is just a way to protect bullies in the workplace," ranking member Rep. Michele Lepore-Hagan (D-Youngstown) said.

The substitute bill was a step toward meeting concerns from the Ohio Civil Rights Commission, according to proponents. The committee adopted the sub bill along party lines, with Democrats voting against.

The sub bill removes language limiting the application of the Civil Rights Law among private employers to a person employing four or more people for each working day in each of 20 or more calendar weeks during the current or preceding year.

Instead it applies the Civil Rights Law simply to a person employing four or more employees. That's in response to concerns from Rep. Thomas West (D-Canton) who in previous hearings said the bill would exempt seasonal or temporary workers from civil rights protections.

Other changes include (Comp Doc):

- Permitting an aggrieved person who is not a named complainant who claims an interest in a charge filed with the OCRC to appear at an OCRC hearing to present arguments or evidence.
- Extending the proposed voluntary dismissal period of an OCRC complaint to 45 days from the previous version's 30 days.

- Revising the definition of tangible employment action for purposes of the bill's affirmative defense to vicarious liability to mean a significant change in employment status or a decision causing a significant change in benefits.
- Installing several prohibitions pertaining to the filing of causes of action in the case of age discrimination lawsuits.
- Adding an age specific cause of action and two other civil action provisions to the definition of tort actions in the portion of the Trial Procedure Law governing punitive damages.

But OCRC Chairman Leonard Hubert testified that although some of the commission's concerns have been addressed in the sub bill, the bill still has its issues.

"These laws have been on the books for a long time," Mr. Hubert said, noting the group has had a copy of the sub bill for less than a day. "But I would submit to you that we're talking about discrimination and I would suggest we fully take our time and look at what we're doing."

Attorney Fred Gittes, speaking for the Ohio Employment Lawyers Association, testified the bill would significantly amend what has been the longest serving state workplace civil rights law in history.

"This bill would weaken that law and the weakening will not make it clearer than federal law," he said. "It doesn't mirror federal law. Secondly, the changes that are being made, at least the ones we are concerned about, will not deter discrimination. They will actually encourage - not intentionally - but encourage people to feel they can discriminate."

He said his biggest concern is the bill's elimination of personal accountability for "even the most blatant discrimination." He said several federal laws, such as the Equal Pay Act or Title IX, allow one to sue an individual for discrimination. How then can the bill mirror federal law by eliminating that personal liability? he asked.

"What message is being sent to people who discriminate?" he asked. "Who would it help?"

He said the sub bill fails to fix the issue with the definition of employer. He said he fears it makes it worse by preventing one from suing corporate entities in certain instances.

"If this bill were to pass the way it's written today not only could you sue the managers or supervisors you couldn't sue the company either because they have inadvertently left off some key language," Mr. Gittes contended.

Chairman Rep. Young later questioned that assessment, noting that a corporation under the bill can be considered a person.

Other opponents criticized many of the same elements of the bill in their testimony.

ACLU of Ohio Chief Lobbyist Gary Daniels said the bill leaves workers less protected, saying that "if the issue is making life easier for corporations versus maintaining current protections for Ohio workers, the ACLU of Ohio does not believe proponents of HB 2 adequately made the case why our laws should be weaker, all at the expense of your hard-working constituents."

He said the removal of language impacting seasonal and temporary workers is "an improvement."

"But even with it being taken out of the bill I think it's important to acknowledge it was in the bill in the first place and I think that provides a window of some proponents of how they view employment laws," he said.

Mr. Hubert said the bill has improved since last year's version and thanked sponsors for being open to conversations.

Still, he said, "This bill does not mirror federal law in all ways; it picks and chooses protections of federal law that are believed to be in the best interest of employers, while ignoring other portions of federal law."

But in written proponent testimony, the Ohio Alliance for Civil Justice, the group argued that, "Ohio needs to be competitive and to get in step with other states and the federal court system."

"The bill does not inequitably disadvantage plaintiffs—it serves only to level the playing field," the OACJ wrote.

Bill Adds Specification For Incapacity, Disfigurement

Judges could soon have the ability to impose stiffer sentences on individuals who, through the act of felonious assault, permanently disfigure or incapacitate a victim.

The need for the increased penalties, which are laid out in legislation (HB 63) that received a first hearing on Tuesday, arose from an incident in Franklin County in which an ex-boyfriend doused Judy Malinowski with gasoline and set her on fire, Rep. Jim Hughes (R-Columbus) said.

After more than 50 surgeries, Ms. Malinowski remains in critical condition nearly 600 days after the incident. The mother of two has burns that cover 98% of her body, Rep. Hughes told members of the House Criminal Justice Committee.

"Judy is still fighting for her life at a Columbus area hospital," Rep. Hughes said.

The perpetrator, Michael Slager, was charged with aggravated arson, felonious assault and possession of criminal tools. He received a sentence of 11 years in prison.

"Judy has a life sentence," Rep. Hughes said.

Under the legislation, a sliding scale specification of five to 20 years would allow a judge to enhance a felonious assault sentence if the victim suffers permanent disfigurement or substantial incapacity or if an accelerant is used during the course of the offense.

Rep. Hughes told the panel that during the sentencing phase of his trial, the judge lamented her inability to impose a longer sentence on Mr. Slager.

"In Judy's case, the judge and the prosecutor did their job as best they could under current law. It is now time for the legislature to do our job in ensuring that victims like Judy receive the justice that they deserve," he said.

"Permanent, serious disfigurement or substantial incapacity" is defined as a physical or mental impairment that substantially limits one or more major life activities, according to Legislative Service Commission analysis of the bill.

Rep. Greta Johnson (D-Akron), a former assistant prosecutor, asked how "major life activities" is defined in the measure.

Rep. Hughes said an amendment is in the works to clarify that definition.

In response to another question from Rep. Johnson about the possibility of including psychological impairment, Rep. Hughes said he had not thought of that, but called it a great suggestion and expressed his willingness to work with her on that proposal.

Rep. Johnson also questioned the decision to confine the specification to the use of an accelerant, saying that she ran into cases as an assistant prosecutor in which children were severely burned by hot water.

"The burn cases are so difficult, and that's what I was trying to go after," Rep. Hughes responded.

GOP Lawmaker Pushes Local Prevailing Wage Option

Local governments undertaking construction projects would have the option - rather than be required - to pay prevailing wage under new legislation a Senate Republican detailed Tuesday.

Sen. Matt Huffman (R-Lima) said the proposal (SB 72) would eliminate a state requirement that directs locals to pay wages that might exceed market conditions on key infrastructure projects.

The lawmaker said the issue is particularly important in small towns where services tend to cost less, adding that local governments have more difficulty raising tax revenues.

"We are stuck with the revenue that we have," he said during a Statehouse news conference, adding that the bill could help address local government fiscal concerns.

"By and large, the state mandated wage is much higher," he said. The change would allow locals to choose to spend their money on other things.

Matthew Szollosi, executive director of ACT Ohio said the proposal would "severely weaken" Ohio's long-standing prevailing wage law.

"If his bill were to pass, more construction workers qualify for public assistance; privately funded apprenticeship training would sharply decrease, and more of the state's tax dollars would be used to employ out of state contractors and workers," he said.

Allen County Commissioner Jay Bage said the market rate in his area for skilled trades is about \$18 per hour, while there are very few prevailing wage jobs that are less than \$25 per hour.

He also said prevailing wage carries with it a series of classification issues that create work for local administrators.

Sidney Mayor Mike Barhorst also backed the plan. He said the savings the city could have realized by not paying prevailing wage could have funded additional projects that are needed.

He said the city is expecting to spend upwards of \$40 million over the next five years, and that labor-related savings could help reduce the city's \$20 million backlog of unfunded projects.

Tracy Hatmaker, administrator of Franklin County's Prairie Township, said some contractors are intimidated by administrative requirements they face in prevailing wage contracts, and therefore don't bid on jobs.

Added Sen. Huffman: "You don't have to be in rural Ohio for this to be a problem," he said. "The struggle with local government funds is universal."

Mayor Barhorst said quality work will still be the top criteria to evaluate bids, but said prevailing wage doesn't necessarily guarantee higher quality work.

Mr. Bage also said the county would still seek out quality contractors if the change is implemented. "We're not going to hire somebody out of a station wagon who's got undocumented workers," he said.

Mr. Szollosi added a study that by a Bowling Green State University professor shows that that there is no significant statistical difference between union and non-union bids.

"This rebuts claims of significant savings in the event prevailing wage is removed as a project requirement, and certainly paints a different picture than Commissioner Begg's anticipated savings of \$3-4 million on \$30-40 million dollars of work."

'Cashless' Lottery Sales Among Options Discussed As Revenue Boosters

Ohio Lottery game plays purchased with credit cards and other forms of "cashless" payment methods could boost transfers to the education fund and be implemented without any statutory changes, a legislative panel was told Tuesday.

Lottery Director Dennis Berg stressed that there are no current plans to go that route, rather he was answering questions from members of the Joint Committee on Gaming and Wagering regarding ways the lottery could bolster its revenue moving forward.

Mr. Berg told Chairman Sen. Bill Coley (R-Liberty Twp.) that there's currently no rule or law against using credit, debt or other payment cards in lieu of cash to purchase lottery tickets. The lottery has estimated moving to a cashless system could boost revenue that's later transferred to state coffers to help fund K-12 education programs by about \$13 million a year.

Some examples of such a system could include a "play at the pump" option for lottery game purchases when people swipe their credit cards while purchasing gas, he said. Instant game kiosks and other on-site lottery games that only accept cash currently could be retrofitted to accept credit cards.

Mr. Berg said the lottery has been looking into such options given changes in commerce. He said younger consumers especially tend to carry little if any cash, a trend that hampers lottery ticket sales, and that the cashless option isn't considered an "expansion" of gaming, per se.

"There's a challenge with people who are not carrying money," he said. "We are looking to possibly retrofit our vending machines to allow cashless purchases."

"We're not quite there yet," he said, but added that it's on the table for consideration.

Mr. Berg said the lottery has also met with Michigan officials regarding their vendor incentive program, which he said costs that state about \$9 million a year in foregone gaming revenue. He said it's likely been successful, though, since it's been in operation for 10 years.

Responding to questions from Sen. John Eklund (R-Chardon), the lottery director said the Michigan incentive system entails sales targets, say 3-4% monthly increases, that are rewarded with bonuses of 1-1.5% based on total sales volume. Given the fluctuations with jackpot game sales, those are not included in the calculations that determine the incentives, he said.

Other options for new games could include a second "monitor game" for bars aside from keno, such as a video horseracing game or a "Lucky One" game that resembles roulette, Mr. Berg said. He added of the latter option, "From a policy perspective it looks a lot like a casino game."

Sen. Coley remarked that keno is also a casino game.

Whatever options are pursued in terms of generating revenue will take time to implement, the director said. "There's no new thing we can do where the money will start rolling in the next day."

Mr. Berg began his presentation by outlining revenue trends for the lottery, which saw annual increases of below 5% before the implementation of video lottery terminals at horse racetracks. Since those were implemented, the lottery has seen double-digit increases, he said.

The lottery's challenges include consumer burnout on "traditional" games that are considered old fashioned by today's standards, he said. Also at play is "jackpot fatigue" following huge payouts in jackpot games such as Powerball and Mega Millions.

He described the lottery's gains last year as a "blip" due mainly to a \$1.5 billion jackpot that pushed revenues \$30 million higher than usual.

Transfers to education that year soared to \$1.066 billion compared to \$990 million the year before, he said. Moving forward, the lottery is projecting the transfer for this year to be \$1.03 billion, followed by \$1.045 billion in Fiscal Year 2018 and \$1.055 billion in FY 2019.

State Single Audit Includes 21 Findings At Six Agencies

State Auditor Dave Yost on Tuesday released the state's single audit of federal financial assistance programs.

The audit found 21 findings related to six agencies, including federal questioned costs totaling \$245,687. For two findings, amounts could not be determined.

The report is required by federal law, and covers the 313 federal programs administered by the state in Fiscal Year 2016, including expenditures of about \$27.9 billion.

Seven findings were reported at the Department of Job and Family Services, five at the Department of Education, four at the Department of Medicaid, two each at the departments of Mental Health and Addiction Services and Transportation, and one at the Office of Budget and Management.

Federal questioned costs are expenditures that lack necessary documentation, violate federal law or are determined to be unreasonable expenses. Thirteen of the findings were repeated from the year before.

The findings included payments that were late or not made by ODE to 10 new charter schools that opened before Nov. 1, 2015, through the federal IDEA Part B program.

At ODJFS, the audit found county departments of job and family services did not properly enter information for SNAP Cluster cases. The audit found recipients in two incidents out of the 40 tested received \$50 more in federal assistance than what they were eligible for. For two more incidents of those tested, the income and shelter amounts were not entered correctly but the benefit amount was not affected.

In the Medicaid program, auditors tested the eligibility of 75 Medicaid and 75 CHIP recipients, finding that four of the Medicaid recipients and nine of the CHIP recipients were not eligible to receive benefits on the date services were performed. The audit questioned total costs of \$64,457 for Medicaid and \$64,194 for CHIP.

Also in the Medicaid program, the audit questioned \$86,011 in payments from the Money Follows the Person program due to an issue with the Medicaid Information Technology System reimbursing unallowable claims.

Governor's Appointment

Technical Advisory Council on Oil and Gas: Brandon M. Calhoun of Uniontown for a term beginning February 28, 2017, and ending January 31, 2020.

Supplemental Agency Calendar

Thursday, March 2

Board of Building Standards, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 2 p.m. (Code Committee)

Wednesday, March 8

Veterinary Medical Licensing Board, 77 S. High St., Rm. 1914, Columbus, 8:30 a.m.

Supplemental Event Planner

Tuesday, March 14

Rep. Tim Schaffer (R-Lancaster) and Rep. Christina Hagan (R-Alliance) fundraiser, Oliver's, 26 N. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Tim Schaffer for State Representative and/or Hagan for State Representative)

Tuesday, March 21

Rep. Niraj Antani (R-Miamisburg) fundraiser, Oliver's, 26 N. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Niraj Antani)

~~Canceled: Rep. Craig Riedel (R-Defiance) fundraiser, deNOVO Bistro, 150 S. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel)~~

Wednesday, March 22

Rep. Kristina Roegner (R-Hudson) and Rep. Craig Riedel (R-Defiance) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Kristina Daley Roegner for Ohio and/or Citizens to Elect Craig Riedel)

Tuesday, March 28

Rep. Keith Faber (R-Celina) and Rep. Wes Goodman (R-Cardington) fundraiser, deNOVO Bistro, 150 S. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Faber and/or Friends of Wes Goodman)

Wednesday, March 29

Rep. Nathan Manning (R-North Ridgeville) and Rep. Jeff Rezabek (R-Clayton) fundraiser, Oliver's, 26 N. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Manning for Ohio and/or Citizens for Rezabek)

Wednesday, April 26

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Scott Lipps)

Rep. Derek Merrin (R-Monclova Township) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Derek Merrin)

Wednesday, May 3

Rep. Mike Duffey (R-Worthington) and Rep. Rick Perales (R-Beavercreek) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Duffey and/or Citizens for Perales)

Rep. Jim Butler (R-Oakwood) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio)

Friday, June 2

Rep. Jeff Rezabek (R-Clayton) golf outing fundraiser

17 S. High St., Suite 630

Columbus Ohio 43215

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Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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From: report@hannah.com
Sent: Tuesday, February 28, 2017 7:36 PM
To: DL_Hannah
Subject: Hannah News Stories for Tuesday, February 28, 2017

Tuesday, February 28, 2017

IN TODAY'S HANNAH REPORT:

Please click here to read the entire Hannah Report.

Today's Stories

- [Ryan Decides against Run for Governor](#)
- [Senate Begins Hearings on Transportation Budget](#)
- [House Passes Dating Violence Protection Order Legislation for Third Time](#)
- [State Lending Overhaul Moves Ahead with Committee Passage of SB24](#)
- [Lottery Looks to Implement Cashless Payment; Revenues to Public Ed up by 65 Percent](#)
- [House Tax Panel Starts Budget Hearings, Sets Schedule](#)
- [Proponents, Opponents of Prevailing Wage Weigh In](#)
- [Civil Rights Commission, Employment Lawyers Express Concern about Discrimination Bill](#)
- [State Government Roundup: ODE; DeWine; Commerce](#)
- [Ohio Digest: ACLU](#)
- [Campus Chronicle: Kent State University](#)
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House Committee Reports

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- [Finance State Government and Agency Review Subcommittee](#)
- [Rules and Reference](#)
- [State and Local Government](#)
- [Ways and Means](#)

Senate Committee Reports

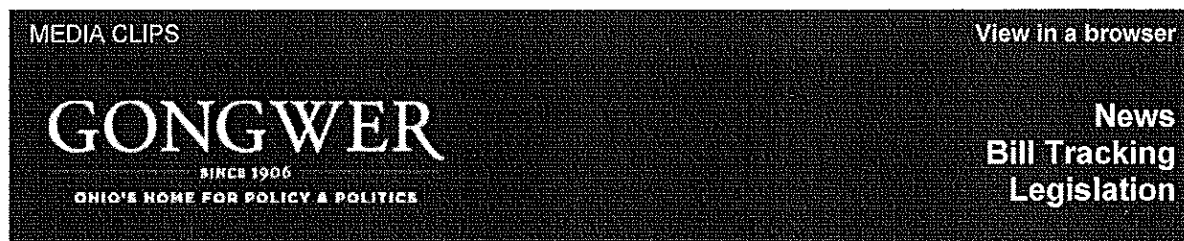
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- Transportation, Commerce and Workforce

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From: Gongwer News Service
Sent: Wednesday, March 1, 2017 8:35 AM
To: Rep76
Subject: Ohio Media Clips, Wednesday, March 1



NEWS

U.S. Rep. Tim Ryan won't run for Ohio governor; others from Akron area still mulling race (Akron Beacon Journal, 3/1/2017)

For Trump speech, Ohio senators bring unexpected guests (Cincinnati Enquirer, 3/1/2017)

Mike Pence coming to Cincinnati this week (Cincinnati Enquirer, 3/1/2017)

State auditor: MSD 'structure not workable' (Cincinnati Enquirer, 3/1/2017)

Tim Ryan's out. So who will Dems run for Ohio governor? (Cincinnati Enquirer, 3/1/2017)

Ohio lawmaker: Local governments already skirting state prevailing wage law (Cleveland Plain Dealer, 3/1/2017)

President Trump offers a few hints that could affect Ohio, with details to come later (Cleveland Plain Dealer, 3/1/2017)

**President Trump scraps EPA clean water rule opposed by state of Ohio,
U.S. Rep. Bob Gibbs (Cleveland Plain Dealer, 3/1/2017)**

Tim Ryan won't run for Ohio governor (Cleveland Plain Dealer, 3/1/2017)

**Who are the 700,000 Ohioans receiving health insurance under Medicaid
expansion? (Cleveland Plain Dealer, 3/1/2017)**

**Dating violence protection bill passes House with 92-2 vote (Columbus
Dispatch, 3/1/2017)**

**Fewer Ohio kids poor enough to qualify for free school lunches
(Columbus Dispatch, 3/1/2017)**

**GOP, unions to butt heads over prevailing wage (Columbus Dispatch,
3/1/2017)**

**In selling bill, Ohio senator describes possibly illegal deal (Columbus
Dispatch, 3/1/2017)**

America first: President promises jobs, security (Toledo Blade, 3/1/2017)

**Bill looks to eliminate Ohio mandate on prevailing wages (Toledo Blade,
3/1/2017)**

Toledo mayor denounces Ohio tax proposal (Toledo Blade, 3/1/2017)

**Trump budget plan draws strong opposition from Republicans (Toledo
Blade, 3/1/2017)**

**U.S. Rep. Tim Ryan won run next year for governor while Ohio Senate
Minority Leader Joe Schiavoni will (Youngstown Vindicator, 3/1/2017)**

EDITORIALS

Give nuclear credit (Akron Beacon Journal, 3/1/2017)

Editorial: Police always have been life-savers (Columbus Dispatch, 3/1/2017)

Unfathomable and unacceptable (Toledo Blade, 3/1/2017)

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Subject: E-Clips for 3/1/2017

HOUSE E-CLIPS

3/01/2017

AP Associated Press

DEMOCRATIC REP. TIM RYAN WON'T RUN FOR OHIO GOVERNOR IN 2018

U.S. Rep. Tim Ryan has decided against running for governor next year, leaving Ohio Democrats on a continued quest for the candidate who will lead their 2018 ticket.

The Columbus Dispatch
Ohio's Greatest Online Newspaper

BUCKEYE LAKE DAM PROJECT TO BE COMPLETED BY FALL 2018, AHEAD OF SCHEDULE

The Buckeye Lake dam project is now scheduled for completion a year ahead of schedule, Ohio Department of Natural Resources director James Zehringer said Tuesday.

FEWER OHIO KIDS POOR ENOUGH TO QUALIFY FOR FREE SCHOOL LUNCHES

The percentage of Ohio students receiving free or subsidized school lunches dropped to 41 percent this year, a 2-percentage-point decline and the largest since the end of the Great Recession seven years ago.

YOUNGSTOWN-AREA SEN. JOE SCHIAVONI BECOMES 1ST DEMOCRAT TO ANNOUNCE OHIO GOVERNOR BID

Joe Schiavoni, Youngstown-area Democratic leader in the Ohio Senate, today became his party's first announced candidate for governor in 2018.

DATING VIOLENCE PROTECTION BILL PASSES HOUSE WITH 92-2 VOTE

Victims of dating violence would get the ability to obtain civil-protection orders under a bill approved Tuesday by the Ohio House, 92-2.

IN SELLING BILL, OHIO SENATOR DESCRIBES POSSIBLY ILLEGAL DEAL

Sen. Matt Huffman hoped to bolster his argument for his new legislation Tuesday by telling an anecdote about the lengths a mayor in his district went to avoid Ohio's prevailing wage law.

GOVERNMENTS SEEK TO AVOID WAGE REQUIREMENTS ON PUBLIC PROJECTS

Sen. Matt Huffman, R-Lima, said local governments are using innovative ways to build and pay for public construction projects such as buildings, roads and water lines, including in one case skirting the state prevailing wage law.

OHIO SENATE DEMOCRATIC LEADER ANNOUNCES RUN FOR GOVERNOR

Ohio Senate Democratic Leader Joe Schiavoni (D-Boardman) has announced a run for Governor of Ohio, according to an announcement made on Twitter.

THE PLAIN DEALER

WHO ARE THE 700,000 OHIOANS RECEIVING HEALTH INSURANCE UNDER MEDICAID EXPANSION?

Who are the 700,000 Ohioans who have received health insurance under Medicaid expansion? And has the insurance really made a difference?

WITH TIM RYAN OUT OF THE GOVERNOR'S RACE, EYES TURN TO BETTY

SUTTON, JOE SCHIAVONI AND OTHERS

U.S. Rep. Tim Ryan's decision to pass on a run for Ohio governor clears the way for other Democrats to launch campaigns in earnest.

OHIO LAWMAKER: LOCAL GOVERNMENTS ALREADY SKIRTING STATE PREVAILING WAGE LAW

Ohio Sen. Matt Huffman said he wants to relax the state's prevailing wage law in part because local governments are already finding "innovative ways" to get around paying union-scale wages to construction workers.

THE ENQUIRER

TIM RYAN'S OUT. SO WHO WILL DEMS RUN FOR OHIO GOVERNOR?

Rep. Tim Ryan, a Youngstown-area Democrat, announced Tuesday that he will not run for governor of Ohio — a blow to the party as it seeks a strong contender for the 2018 contest.

STATE AUDITOR: MSD 'STRUCTURE NOT WORKABLE'

The Metropolitan Sewer District could save almost \$2 million a year by cutting unnecessary jobs, trimming overtime costs and improving its customer service operation, state auditors said Tuesday.

THE BLADE

One of America's Great Newspapers

DEMOCRAT SCHIAVONI ANNOUNCES BID FOR OHIO GOVERNOR

Youngstown area Sen. Schiavoni today became the first Democrat to throw his hat in the ring for Ohio governor in 2018.

TOLEDO MAYOR DENOUNCES OHIO TAX PROPOSAL

Toledo Mayor Paula Hicks-Hudson argued Tuesday that the city can do a better job of collecting the local business income tax as she urged lawmakers to reject Gov. John Kasich's proposal to collect the tax at the state level.

BILL LOOKS TO ELIMINATE IN OHIO MANDATE ON PREVAILING WAGES

A newly introduced bill would do away with Ohio's mandate that publicly financed projects pay higher union-scale wages and instead would give local governments the choice of whether to pay it.

The Vindicator

U.S. REP. TIM RYAN WON RUN NEXT YEAR FOR GOVERNOR WHILE OHIO

SENATE MINORITY LEADER JOE SCHIAVONI WILL

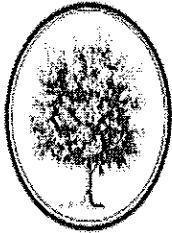
One Mahoning Valley Democrat is out of the 2018 gubernatorial race and another one is in.

From: The Buckeye Institute

Sent: Friday, March 3, 2017 7:04 AM

To: Rep76

Subject: Hot-off-the-press study on Ohio's RPS shows devastating economic results



THE BUCKEYE INSTITUTE

Contact: Orphe Divounguy, Ph.D., Economist
(614) 224-4422 or Orphe@BuckeyeInstitute.org

FOR IMMEDIATE RELEASE

March 3, 2017

The Buckeye Institute Releases Brand Spanking New Study on RPS--And, Drumroll Please, It's a Doozy

COLUMBUS, OH--Early Friday morning, The Buckeye Institute's Economic Research Center (ERC) released its timely new report, The Impact of Renewables Portfolio Standards on the Ohio Economy, which demonstrates the negative economic impact of Ohio's Renewables Portfolio Standards (RPS) on Ohio's economy.

The results of the RPS study are in: If Ohio keeps RPS, tremendous economic damage will follow in its wake long after current policymakers have left office. Accordingly, this study serves as fair warning of impending economic consequences if RPS are not fixed.

By requiring electricity providers to purchase renewable energy credits (RECs), costs continue to increase--causing Ohio businesses and families to pay more for their energy over the next decade. As a result, if RPS is not permanently frozen or repealed outright, the evidence shows that families will suffer from reduced discretionary spending, businesses will hire fewer workers, and Ohio's economic growth will be stunted.

If the renewables standards continue as shown in this new Economic Research Center study, Ohio's economy would suffer from 134,000 fewer job opportunities and the state's GDP will be reduced by \$15.5 billion within 10 years. "Ohio workers and families will bear the brunt of the cost for this economically-damaging energy policy, that is RPS," reports The Buckeye Institute's lead economist Orphe Divounguy, Ph.D. "The evidence is overwhelming and convincing: this RPS mandate leads to cost increases that are essentially

a tax on productive economic activity. The longer the mandate stays in effect, the more harmful its economic impact will be--as our new study shows very clearly."

The Economic Research Center employed its state-of-the-art and peer-reviewed dynamic growth model of the Ohio economy to simulate the economic effects of the RPS under various policy scenarios. These policy scenarios illustrate what would happen if, for instance, the RPS are permanently frozen at 2016 levels or take full effect. The most positive public policy scenario for Ohio's economy is RPS repeal, which allows the market to determine prices instead of government mandates.

The Buckeye Institute uses publicly available government data, employs sound academic-style research that is peer reviewed, and discloses its assumptions in an effort to be transparent about its methodology. Its Economic Research Center's economic models and calculations have been used and cited extensively in multiple states and relied upon by policymakers since the ERC's inception.

Press and legislators may contact Dr. Divounguy directly (contact information above) after reviewing [the study and its results](#) to discuss further.

###

BACKGROUND: Founded in 1989, The Buckeye Institute is an independent research and educational institution--a think tank--whose mission is to advance free-market public policy in the states.

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Sent by info@buckeyeinstitute.org

From: Policy Matters Ohio

Sent: Friday, March 3, 2017 1:01 PM

To: Rep76

Subject: JobWatch: Ohio's job growth last year was worst since recession

Policy Matters Ohio



For immediate release

Contact Hannah Halbert

614.397.6080

Ohio's job growth last year was worst since recession

2017 also began on a down note with job losses

Revised jobs data released today confirmed that 2016 was the worst year for job growth in Ohio since the end of the recession in 2009. In 2016 Ohio gained less than 50,000 jobs, making our job growth rate 0.9 percent for the year. The nation grew by 1.6 percent. Ohio's post-recession annual job growth rate peaked in 2014 at a mere 1.8 percent.

"Today's report confirms that 2016 was a weak year for Ohio jobs," said Hannah Halbert, workforce researcher with Policy Matters Ohio. "We have increased tax cuts that primarily benefit the wealthiest Ohioans on the promise of job growth. But we continue to underperform the national average and we are slowing down."

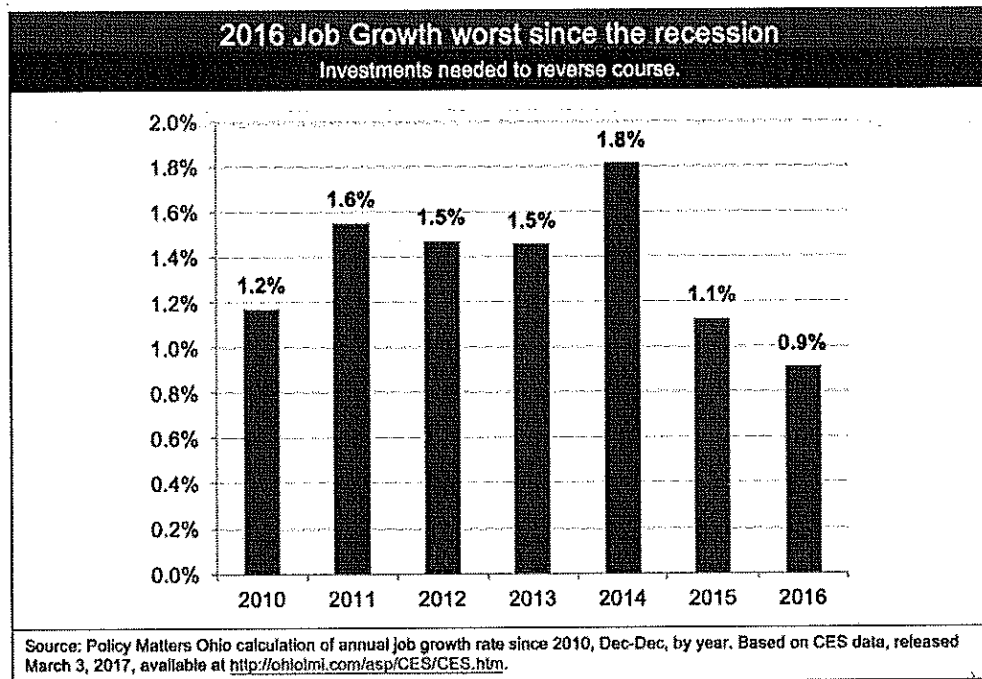
January's numbers, unfortunately, offer no consolation. According to the Ohio Department of Job & Family Services (ODJFS), the state lost 2,100 jobs, with the biggest losses (-10,800) coming from the education and health care sectors.

Each March, ODJFS and U.S. Bureau of Labor Statistics revise the earlier job count based on additional data. Today's numbers provide a more reliable picture of the job market last year.

"The new data underscore the need for additional investments in the health and education of people in this state. These investments improve people's lives and they have the potential to aid growth in communities that have been left out of the recovery," said Halbert.

The unemployment rate remained at 5 percent in January. The household survey, which generates the data for the unemployment rate, and uses different methodology from the jobs survey, showed that the number of Ohioans working or looking for work increased in January (+17,000), but shrank 0.3 percent over the 12-month period. By contrast, the national labor force grew by 0.9 percent. Ohio's labor force has shrunk by 270,000 since the official start of the 2007 recession.

"Seven of the ten largest job categories in the state pay so little a family of three likely qualifies for food assistance," said Halbert. "We rank among the worst in terms of college affordability. Yet, our tax and budget policy works against solving these problems. We return revenue to the rich instead of promoting opportunity and security for working Ohioans. This policy should be reversed."



[Read JobWatch online](#)

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From: Meghan McCann
Sent: Monday, March 6, 2017 4:39 PM
To: Rep76
Subject: Webinar March 10 - Labor and Sex Trafficking: State Update



NCSL

NATIONAL CONFERENCE *of* STATE LEGISLATURES

**Webinar March 10
Labor and Sex Trafficking: State Update**

NCSL's Criminal Justice and Children and Families Programs will be hosting a human trafficking webinar, [Labor and Sex Trafficking: State Update](#), on Friday, March 10, at 2 p.m. ET/11 a.m. PT.

The webinar will look at the legal and legislative perspectives behind innovative policies that address both labor and sex trafficking. You will hear from Colorado State Representative Paul Lundeen, Kirsta Leeburg Melton from the Texas Attorney General's Office and Pat Medige from Colorado Legal Services who will discuss their work in combatting labor and sex trafficking.

Make sure you register for this free webinar [HERE](#) and we look forward to talking with you on Friday. If you have any questions, contact Meghan McCann, meghan.mccann@ncsl.org or Rich Williams, rich.williams@ncsl.org.

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From: Ohio House Republican Communications

Sent: Monday, March 6, 2017 4:56 PM

Subject: GOP Week in Review 2/27/17 – 3/5/17



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

GOP Week in Review

2/27/17 – 3/5/17

The Lima News: McColley helps pass state transportation budget

McColley also chairs the House Finance Subcommittee on Transportation, which played a key role in crafting the bill. "House Bill 26 strikes a balance between financing Ohio's transportation priorities while being a responsible watchdog of taxpayer dollars," he said. "A lot of creative ideas and input went into the crafting of this budget, and I am confident that it will help Ohio meet its infrastructure needs in the future."

Gallipolis Daily Tribune: Ohio House passes transportation budget

"This infrastructure package is an important step to rebuild our communities," said House Finance Chair Ryan Smith (R-Bidwell). "The transportation budget makes an investment of \$7.8 billion that will maintain our roads and improve our economic competitiveness."

Cincinnati Business Courier: Cincinnati could reap big benefits from Ohio transportation bill

"We all know there's not enough money to do everything we need to do," said Rep. Doug Green, R-Mount Orab, chairman of the House's transportation committee.

Toledo Blade: Ohio House approves \$7.8B for transportation

"This is a declining revenue source," said Rep. Robert McColley (R., Napoleon), the bill's sponsor. "Ohioans are paying less gas tax now than they have in years past. It's actually getting below the \$8 billion mark."

Circleville Herald: Rep. Scherer Votes for State Transportation Budget

"I am pleased with the passage and to be a co-sponsor of the transportation budget," said Scherer. "This passage allows for us to put funding back into our state's infrastructure and continue growth all across the state of Ohio."

The Morning Journal: Ohio lawmaker's highway bill aims to reach suffering veterans

State Rep. Steve Hambley says it could help remind veterans suffering from post-traumatic stress disorder to reach out for help.

The Morning Journal: Ohio House approves bill on protective orders for dating violence

Rep. Emelia Strong Sykes, an Akron Democrat, and Rep. Nathan Manning, a North Ridgeville Republican, are sponsoring the bill.

Youngstown Vindicator: Pharmacists could offer much cheaper version of EpiPen if Ohio bill becomes law

The Blade reports the bill introduced last week by state Rep. Derek Merrin would allow substitution only with the patient's permission. Doctors still can insist on the brand-name EpiPen. Merrin, a Republican, says he sees the bill as a national model, "free-market solution" to the Mylan pricing issue.

The Morning Journal: Ohio Rep. Wes Retherford reintroduces bill aimed at curbing elder abuse

State Rep. Wes Retherford's Elder Justice Act unanimously cleared the Ohio House last year. ... Retherford, a Hamilton Republican, said changes have been made to the bill to address the issues raised.

Dayton Daily News: Butler County lawmaker re-introduces elder abuse bill

Retherford said he and now former Ohio Rep. Mike Dovilla, R-Berea, moved in 2014 to put a \$10 million appropriation for Adult Protective Services in the Mid-Biennium Review bill in anticipation of the Elder Justice Act "because that was the number one concern we heard back."

Cincinnati Enquirer: Guest column from Rep. John Becker: New right-to-work bill restores workers' rights

It's about freedom. I authored Ohio House Bill 53 to restore the freedom of association to public-sector employees. This right-to-work legislation provides public-sector workers the freedom to opt out of union representation and dues. A private sector right to work bill will soon be introduced by one of my colleagues in the Ohio House of Representatives.

Mount Vernon News: Goodwill opens in Fredericktown

Rick Carfagna, State Representative of House District 68, was there to give the store an official welcome from the Ohio House of Representatives.

The Findlay Courier: Editorial: SNAP fraud

Two lawmakers, Rep. Tim Schaffer, R-Lancaster, and Sen. Matt Huffman, R-Lima, have proposed legislation that would add photos to food stamp EBT cards in an effort to

reduce "trafficking," in which recipients swap SNAP benefits for money. The bills are worth consideration.

Van Wert Independent: State legislators meet with SWCD staff

State Representative Craig Riedel and State Senator Cliff Hite met this past week with representatives of the Van Wert County Soil and Water Conservation District (SWCD) at the recent annual "Conservation Partnership Meeting" held in downtown Columbus.

The Morrow County Sentinel: Mount Gilead High School seniors engage education experts in discussion

Ohio House Representative from District 87, Wesley A. Goodman also discussed state and national perspectives on education with the students.

Record Herald: Guest column from Speaker Cliff Rosenberger: Coming together to celebrate Ohio history

It is no secret that I am a history enthusiast, especially when it comes to the stories of our state and nation. This week marked Ohio's 214th birthday, 214 years since its official induction into the United States.

Circleville Herald: Rep. Scherer honors essay winner

"I was honored to be able to recognize Kalila for her tremendous work in this competition and I was pleased to be able to discuss her passion for the issues she addressed in her writing piece," Scherer said.

Sentinel-Tribune: Gavarone appointed to House Finance Committee

"I am honored by the speaker's decision to appoint me to House Finance Committee," Gavarone said. "I am excited to work with Chairman Smith and the other members of the Finance Committee as we move towards delivering a budget that benefits all citizens of Ohio."

Salem News: State Representative honors Wilson as state champion

"It was an absolute privilege to honor Jared with a resolution today," Ginter said. "Jared is a tremendously talented golfer, but also a very dedicated student for which he should be commended. I believe that Jared has a very bright future ahead."

Record Herald: Peterson discusses tax policy with municipal leaders

"It's important that we, as members of the House and Senate continue to meet with the representatives of our local municipalities, especially during the budget season," said Representative Anielski. "Hearing their concerns allows us to craft a better, more responsive budget for the state of Ohio that works well on every level of governance."

WCMH: Ohio lawmakers hold first hearing on 'Judy's Law'

"The judge and the prosecutor did their job the best they could under current law," Hughes said. "It's now time for us in the legislature to do our job to ensure that victims like Judy receive the justice they deserve."

WSPD: Ohio lawmakers want harsher penalties for distracted driving

"Law enforcement at that time would determine that distracted driving was the cause of the primary or contributing factor. The law enforcement officer could then charge an additional charge on with that which would be a minor misdemeanor," Hughes says.

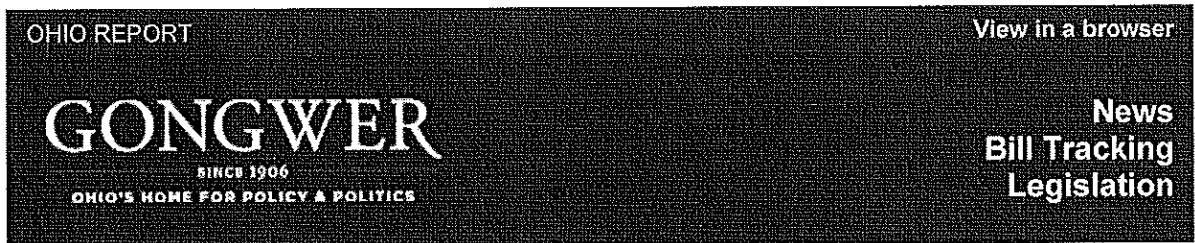
From: Gongwer News Service

Sent: Tuesday, March 7, 2017 7:10 PM

To: Rep76

Subject: Ohio Report, Tuesday, March 7, 2017

Attachments: Mar7.htm; 170307dayplan.htm; Mar7House.htm; Mar7Senate.htm



OHIO REPORT TUESDAY, MARCH 7

Senate Advances Bills On Protection Orders, Consumer Loans

Higher Ed Leaders: Budget Places 'Undue Burden' On Institutions

**Coalition Proposes Budget Changes To Reduce Impacts Of TPP
Reimbursement Losses**

**Municipalities Blast Budget Provisions Centralizing Collections,
Eliminating 'Throwback' Rule**

Outdoor Advertisers Call For Lower Fees In Transportation Budget

First Responders Push Bill To Expand Protections

Former Congresswoman, State Rep. Sutton Announces For Governor

**Affordable Care Act Replacement Proposal Faces Criticism From Both
Sides**

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Volume #86, Report #44 -- Tuesday, March 7, 2017

Senate Advances Bills On Protection Orders, Consumer Loans

Subjects of protection orders would no longer be able to avoid being served as a legal defense against violations under legislation that - again - cleared the Senate Tuesday.

The chamber also moved bills to separate regulations for consumer loans in state law (SB 24), recognize Jesse Owens (SB 18) and raise awareness for the deaf community (SB 27).

For Sen. Kevin Bacon's (R-Minerva Park) protection order measure (SB 7), it marked the third time the bill has cleared the chamber and he hopes this time will be the charm. In two prior General Assemblies, the proposal ran into trouble in the House in the form of amendments that were not palatable to the Senate.

In the first instance, the bill was amended in the House Judiciary Committee with language that was problematic for the Senate, the lawmaker said. Last December, his second attempt picked up a House floor amendment that entailed an entire bill on protection orders for dating couples.

Sen. Bacon said in an interview the latter House change, which recently cleared that chamber as separate legislation (HB 1), was too major for the Senate to reach consensus on in lame duck session. However, he said he's spoken to the sponsor, Rep. Emilia Sykes (D-Akron), and will work with her to get the bill passed.

The senator's latest version, which cleared the chamber unanimously Tuesday, follows further incidents in which offenders were able to avoid being served protection orders and ended up committing crimes afterward, he said in a floor speech.

"We have had defendants who have been let off" because of an Ohio Supreme Court ruling on protection orders (*State v. Smith*) that the bill aims to address, he said. That case stemmed from an incident in which a Columbus man was shown, but not formally served with, a protection order before he broke into his victim's house and assaulted her.

"In many cases current law does not allow for prosecution of individuals who intentionally avoid and knowingly violate protection orders," Sen. Bacon said. "This legislation prevents people who knowingly violate protection orders from taking advantage of loopholes in the law."

Senate President Larry Obhof (R-Medina) said after session that he's interested in working with backers of both Sen. Bacon's bill and Rep. Sykes's measure to protect victims of domestic violence.

The sponsor of the consumer loan measure, Sen. Lou Terhar (R-Cincinnati), said it would serve as a prudent update to the state's lending laws by creating a new area of state law specific to installment loan lenders rather than licensing them under the broader Ohio Mortgage Loan Act.

The bill would modernize Ohio's laws and better delineate the statutes regarding consumer loans, he said. It would more accurately reflect the business and eliminate confusions for borrowers, lenders and regulators.

Sen. Terhar said the bill includes clarifications sought by the Department of Commerce. It passed unanimously.

Also clearing the Senate without opposition was a bill from Sen. Cecil Thomas (D-Cincinnati) to designate Sept. 12 as Jesse Owens Day in Ohio, and a measure from Sen. Bill Beagle (R-Tipp City) recognizing the period beginning March 13 and ending April 15 as Ohio Deaf History Month.

The chamber also immediately took up a House resolution (HJR 1) authorizing a joint session in Sandusky on April 4 for Gov. John Kasich's next State of the State Address.

It was adopted on a 29-3 vote, with Sen. Michael Skindell, Sen. Charleta B. Tavares and Thomas opposed.

Higher Ed Leaders: Budget Places 'Undue Burden' On Institutions

Higher education leaders on Tuesday told a House panel that, under the executive budget, institutions will suffer and the state won't move closer to reaching its degree attainment goal.

Budget (HB 49) provisions placing a freeze on tuition and fees, increasing state share of instruction by just 1% each year, and requiring that institutions cover student textbook costs are all areas of concern for university presidents who testified before the Finance Subcommittee on Higher Education.

Bruce Johnson, president of the Inter-University Council, said the spending plan "puts an undue burden on public universities," which have spent the last few years meeting administrative and legislative challenges to reduce student costs and find efficiencies without sacrificing quality.

He recommended an SSI increase of at least 2% per year to keep up with inflation, but suggested that total should increase further if the state wants to reach its goal of 65% of Ohioans holding post-secondary degrees or certificates by 2025. That total is currently at 43%.

"If we're going to have 25% more students graduate from college, we're going to have to make an investment so that that is done at some increased level," he said, opining that a 5% annual increase in SSI could possibly equate to a 5% rise in graduates.

Mr. Johnson also requested the elimination of language requiring institutions to provide students with textbooks.

He described the provision, which would allow institutions to tack on \$300 to tuition to cover costs, as a "several-hundred-million-dollar unfunded mandate that will not serve students well in this state."

The presidents of Kent State University, Ohio State University and the University of Akron who also testified agreed with that sentiment.

UA President Matthew Wilson has estimated the textbook cost to his institution would be at a high of \$13.63 million annually.

Students at Akron have proven to be creative with their textbook purchasing decisions, so adding \$300 to their tuition could cost them more than they'd typically spend on class materials, he said. Research has found that only about half of UA students purchase textbooks.

On the other hand, there are students whose pursuit of highly technical fields would result in the university spending thousands more than the \$300 fee for textbooks, he said.

"Forcing us to provide textbooks, although well intentioned, is short sighted," Mr. Wilson said.

Kent State President Beverly Warren said the state should also consider how much tax revenue it would lose by allowing non-profit institutions, instead of students, to purchase textbooks.

Her institution has estimated it would spend up to \$30 million on textbooks and the state would forego about \$440,000 in tax revenue on them, she said.

Purchasing textbooks would certainly diminish any small gains from SSI, Ms. Warren said, meaning Kent could have to reduce scholarships it's currently offering to students who are at risk of dropping out because of financial struggles.

She said the budget provisions requesting more of institutions without an increase in state dollars, "threatens the advancements and educational quality we have achieved to date through collaboration with the administration and the General Assembly."

To offset some costs, OSU President Michael V. Drake told the subcommittee that he'd be supportive of a proposal allowing institutions that have not hit state caps to raise tuition to that level over the next biennium.

His institution was among those that voluntarily froze tuition in the years before the General Assembly required it, he said.

Mr. Drake and the other witnesses also voiced concern with a proposed freeze on student fees because some are related to educational programs, such as fuel purchased at cost by aviation students.

"Granting public institutions some authority to increase instructional and general fees allows for additional investment in excellence and quality," he said.

The presidents also said they'd welcome additional increases to the Ohio College Opportunity Grant, which remains at about half the funded level it was at before the recession.

"OCOG and SSI together are the things that support our excellence," Mr. Drake said.

Although institutions are proud of the squeezing they've done over the last few years, he questioned whether that trend can continue as long as SSI is essentially flat funded.

"We feel good about that, but now we see inflationary pressures threatening our quality and of course that frightens us," he said.

Mr. Johnson also said that universities have been proud of the work they've done to reduce costs and they'd be happy to take on yet another challenge, possibly related to textbook affordability.

However, he cautioned lawmakers against basing their budget decisions off the idea that higher education costs are "spiraling out of control" in Ohio - something he said isn't true.

Tuition rates rose nationally, on average, by 12% between 2010-15, Mr. Johnson said. In the same time, tuition increased 2% in Ohio.

He pointed to state support for higher education that's about \$1,900 below average as the reason tuition at Ohio institutions has long been at the high end of the national spectrum and remains there.

Chairman Rep. Rick Perales (R-Beavercreek) said he's encouraged by the collaboration that's already taken place in the higher education sector to improve its product for students. He said he's hopeful that can continue throughout the budget process.

"The collaboration that we're seeing here is very special and I think that will help us overcome some of the hurdles we have in front of us," he said.

Subscribers Note: Complete testimony can be found on the subcommittee's website under March 7.

Coalition Proposes Budget Changes To Reduce Impacts Of TPP Reimbursement Losses

School districts negatively impacted by the phase out of tangible personal property tax reimbursements in the biennial budget are proposing a \$190 million fix.

The Coalition for Fiscal Fairness in Ohio on Tuesday continued efforts to hold districts harmless from TPP reimbursement cuts.

It was successful in swaying the House and Senate in crafting the current biennium's spending plan to hold harmless TPP-reliant districts, and the goal this time around is to make that law permanent, the group's President Tim Pickana said.

"As in the past, we firmly believe that the legislature remains our partner in finding workable solutions and/or providing us the necessary tools to help the high percentage TPP loss districts," he told the House Finance Subcommittee on Primary and Secondary Education.

The CFFO plan would put in permanent law a provision that would keep districts at their Fiscal Year 2015 totals from the combination of state aid and TPP reimbursements, Mr. Pickana said. Under the executive budget, there would be about 120 districts in Fiscal Year 2018 that would be receiving less before factoring in the proposed guarantee phase-down.

"Going forward, under the CFFO proposal, the TPP payments would continue to be phased-out, but districts would continue to be held harmless to FY 15 as long as state aid is not increasing enough to offset the TPP reductions," he said.

The change would come at an estimated cost of \$90 million in FY 2018 and \$100 million in FY 2019.

CFFO also suggested including language that would replace TPP reimbursements with capped aid to address districts on the cap that would continue to receive TPP dollars.

That proposal could result in 20 districts being removed from the cap and another 31 would have their TPP reimbursements fully phased-out, Mr. Pickana said. It would come at no additional cost to the state and no district would lose additional funding.

Districts understand the governor's desire to budget conservatively amid concerns of another recession, but it's important that his plan not shift tax burdens further onto home and business owners, Mr. Pickana said.

"What we're asking is just please don't drive that stake any further," he said, pointing to Commercial Activity Tax and TPP revenues that have been diverted from schools.

Chairman Rep. Bob Cupp (R-Lima) said "there is no question" that districts are struggling financially as a result of tax decisions made in previous General Assemblies and an economic downturn, but he said it's unlikely the state can come up with \$190 million to help.

"I'm just not sure where that money is going to come from. I don't foresee that coming through," he said. "In the meantime, we'll figure out what we can do as best we can."

Sycamore Community School District Treasurer Beth Weber and Strongsville City Schools Superintendent Cameron Ryba told the subcommittee that if their TPP reimbursements aren't continued, they'll likely have to make cuts or put off expanding programs and improving facilities. (CFFO Funding Estimates)

"Based on the decision of our legislature, solely focused on the TPP elimination, our deficit in FY 21 is currently negative \$13.5 million. Yet, if the TPP reimbursement and supplement dollars were reinstated, our deficit would be reduced to a more manageable negative \$2.1 million," Mr. Ryba said.

He said the district would like to provide free all-day kindergarten and continue providing on-site College Credit Plus courses, Advanced Placement exams and gifted services "above and beyond" state requirements. However, none of that would be likely to occur if the budget is passed as-is.

Ms. Weber said Sycamore taxpayers have been supportive of levies, which could help offset any losses. But officials are worried voters won't be so generous in the future, especially as a levy campaign would have to spell out that dollars they're sending to the state aren't always coming back to their district.

"They're near the end of their good will," she said.

There are 155 fixed-sum reimbursement districts where residents won't get to choose whether their taxes increase to cover TPP losses, however, said CFFO's Mike Sobul. Their reimbursements total nearly \$40 million annually.

Most districts would see rate increases of less than 1 mill, but there is a handful where there would be an increase of 4 mills or more, he said.

To soften the blow for taxpayers in those districts, CFFO is proposing that reimbursements be phased out more slowly in fixed-sum districts that will be most negatively impacted and more quickly in districts that won't be as greatly affected.

"In addition to protecting taxpayers in the most impacted areas, the CFFO proposal would reduce the overall dollar amount of fixed-sum reimbursements paid by the state over the next biennium by an estimated \$27 million," Mr. Sobul said.

Those paying taxes to the St. Bernard Elmwood Place City School District will see a disproportionate increase compared to others on fixed-sum reimbursements, according to CFFO estimates. They'd have to pay an additional 13 mills to cover the losses of a five-year phase out that's currently in place.

District Treasurer Emily Hauser also urged support for the group's plan, saying that a wholesale elimination would greatly affect taxpayers whose median adjusted gross incomes are about \$28,000 annually.

She added that the district is among the poorest 15% of districts in the state and 83% of its students are living in poverty.

"An increase of 13 mills will result in an additional \$340 of taxes annually on a \$75,000 home once the phase-out is complete," Ms. Hauser said. "The taxpayers simply cannot afford an increase of such magnitude."

Under the CFFO plan, the current five-year phase out would be replaced with a tiered approach, Mr. Sobul said. In FY 18-19, reimbursements would decline by an equivalent of three-quarters of a mill of tax revenue each year.

By the time the original phase-out date of 2020 comes around, fixed sum reimbursements would be eliminated in all but about 10 districts and no taxpayers would see millage increases of more than 2 mills, he said.

Those continuing to receive reimbursement dollars beyond 2020 would continue to do so through 2023, Mr. Sobul explained. At that time, there would be another round of phase outs over the next three years where, once again, taxpayers would not see an increased tax rate of more than 2 mills.

The reimbursements continuing after 2026 would remain for Fiscal Years 2027-2029, when another three-year phase-down would take place to ensure residents aren't paying increases over 2 mills, he said.

Municipalities Blast Budget Provisions Centralizing Collections, Eliminating 'Throwback' Rule

A pair of witnesses told a House panel Tuesday that tax changes in Gov. John Kasich's proposed budget are "on a whole excellent."

But once again, in a repeat of last week's hearing before House Ways & Means Committee, opponents showed up in force to criticize the budget (HB 49), saying some provisions will drive down local revenue and strip local control over how those dollars are spent.

More than 20 opponents delivered in-person testimony - the majority of them mayors and other municipal leaders who criticized budget proposals they said will harm local communities.

Speaking in support of the budget was retired Ohio University Professor Richard Vedder. Megan Durst of the Ohio Society of CPAs backed some tax-related changes, but opposed changes related to sales and use taxes.

An array of groups, mostly opponents, also submitted written testimony.

Mr. Vedder said the governor and his staff should be commended for a "responsible budget that addresses Ohio's greatest single problem: inadequate rates of growth in income and output, and, with that, jobs and economic opportunity."

He said he would prefer an overall reduction in tax revenues greater than the aggregate cut proposed, with funding provided via spending cuts, and said the state's "sluggish" economic growth is its largest challenge. But he praised the administration for its proposed income tax cut and the desire to downsize the number of tax brackets.

The proposed hikes to tobacco and alcohol taxes, he said, would mitigate negative spillover effects from excessive smoking and drinking. And a proposed oil and gas severance tax increase would have a "minimal" economic impact on the industry and generate significant income for the state, he argued.

"The governor's proposed tax increases are both restrained and reasonable and the revenues provided will help fund desperately needed reductions in our destructive, excessively high, income tax," Mr. Vedder said. "The adverse economic effects of their imposition are small relative to the potential gains to the Ohio economy from lowering income taxes."

But the majority of the testimony centered on municipal provisions, such as mandating centralized municipal income tax collections through the Ohio Business Gateway and eliminating a throwback rule that determines the amount of a business's net profits attributable to a local municipality.

Ohio Municipal League Executive Director Kent Scarrett said the budget proposals would grant the tax commissioner the sole authority to administer and enforce the municipal net profit tax and prescribe related forms and rules without input from municipalities.

"This 'power-grab' by the state and equally alarming 'money-grab' would strip the ability of municipal officials from over 600 cities and villages the ability to manage approximately 15% of their general operating budgets or \$600 million annually of municipal taxpayer dollars, instead surrendering this revenue to the state, for its management and promises of return," Mr. Scarrett said.

Beyond that, opponents repeatedly argued that the online OBG does not have the current capacity to adequately serve all of Ohio's filers should its use become mandatory.

By further eliminating the "throwback" provision for business net profit filings, Mr. Scarrett continued, the budget would cost communities significant lost revenue. Similar language, he said, was removed from a previous bill several years ago (HB5, 130th General Assembly) for that very reason.

Among those also testifying against the measure were mayors or representatives from Athens, Hamilton, Oakwood, Farmersville, Centerville, Sidney, Mason, Kettering, Dayton, Gambier, Dublin, Troy, St. Bernard, Cleveland and Cincinnati.

They said that contrary to the state's claims, a proposal to charge cities 1% to collect Business Income Taxes would cost rather than save cities money.

Toledo, for example has a total cost of 1.3% for all business, individual and withholding tax collections, Mayor Paula Hicks-Hudson said. "Thus, the proposal would cost Toledo an additional 1%," she argued.

The Ohio Service Industry Coalition, which represents a number of major business organizations, also delivered a letter to the committee Tuesday opposing what it called the bill's "tax shifting" provisions.

"Reducing and simplifying Ohio's state income tax is a worthy goal, but we oppose raising the state sales tax rate and extending state and local sales taxes to services not already taxed under Ohio law," the groups said. "Higher sales tax rates and new taxes on targeted services will slow sales, hurt the state's competitiveness, and raise costs for individual and business consumers."

The Tax Foundation and the Ohio Chamber of Commerce testified as interested parties, with the foundation praising language to unify collections as a way to "reduce the compliance burden."

OCOC Director of Tax and Economic Policy Jeff McClain welcomed the elimination of the throwback, which he said discourages economic development. Still, the chamber advises against funding an income tax cut through tax-shifting, he said.

"While we appreciate the effort to continue driving down the personal income tax rate, we don't believe that it should be accomplished by shifting over \$1.2 billion dollars of new taxes onto the business community," Mr. McClain said. "Consequently, the Ohio Chamber cannot agree with the fundamental premise of the plan and therefore cannot support it."

Outdoor Advertisers Call For Lower Fees In Transportation Budget

The leader of the Outdoor Advertising Association of Ohio on Tuesday called on the Department of Transportation to reduce permit renewal fees.

Greg Churilla, president of the group, asked members of the Senate Transportation, Commerce, & Workforce Committee to amend the biennial transportation budget (HB 26) to reduce the fees if ODOT does not act voluntarily. (Redbook)

Mr. Churilla told the panel that ODOT's Advertising Device Control fund is set to have an account balance of about \$600,000 at the end of the current fiscal year.

He said if current renewal rates are not changed, the fund is expected to generate about \$1.2 million in revenue.

"It seems reasonable that with such a significant fund balance in the program, it should be the businesses paying their renewal fees who will benefit from this surplus," he said. "We are hopeful that ODOT will heed our request for fee reductions, but if not, we would ask the Senate for an amendment that would require ODOT to refund the surplus that will be carried over into FY 2018 -2019 to permit holders of record the prior two years."

Woody Woodward, executive director of the Ohio Parks and Recreation Association, also called for changes to the bill. He asked the panel to increase the amount of the Motor Fuel Tax that is earmarked to build and repair roadways within metropolitan park districts.

He said the budget bill earmarks \$2.2 million each year for that purpose. However, Mr. Woodward noted that the level of funding has remained the same since the 2005-06 budget cycle.

Since that time, he said, the average number of road miles in metropolitan parks has increased by 27% while the average cost of paving those roadways has increased by 19%.

Due to that increase, Mr. Woodward said his group is asking lawmakers to increase the funding for the Metropolitan Park District Road Improvement fund to \$2.56 million per year.

"Ohio's metropolitan park districts include many of the most visited recreational facilities in the state, and those visitor numbers are only increasing," he said. "Our members contribute much to the quality of life in our state. This increase to a relatively small line item in the ODOT budget will help ensure that those parks are accessible to all who seek to visit them."

Others, however, were more complimentary of the spending outline. Art Arnold of the Ohio Railroad Association spoke highly of the Ohio Rail Development Commission's budget within the bill.

"Specific to the bill before this committee, the ORDC's continuing efforts to improve public safety deserve special recognition," he said.

"Those nearly 150 projects improved the warnings for drivers approaching highway-rail grade crossings. Ohio continues to make improvements in devices, signage, and technology at grade crossings, and over the past decade, the state has seen crash numbers drop from well over 100 per year to less than 80 in 2015."

Mr. Arnold also praised the ORDC's funding for rail infrastructure improvements and expansions, saying it has been instrumental in creating jobs.

"The ORDC's efforts to enhance, create and retain jobs through investments in rail infrastructure is a tremendous story," he said.

In the previous biennium, Mr. Arnold said, nearly 28,000 jobs were positively impacted by that investment.

"The public dollars (total \$8.7 million) leveraged another \$322.3 million, for a return on their investment of \$37 for every \$1 committed by the ORDC," he said. "Those were two very strong years, but the ORDC has consistently produced such returns on the funds provided by the General Assembly."

Bryant Thomas, manager of government relations at Norfolk Southern Corporation, also expressed support for the ORDC's budget.

"ORDC plays an integral role in this business development," he said. "ORDC, by partnering with the railroad, JobsOhio, businesses and local economic development authorities, helps facilitate a strong pro-business environment and helps enable major job creation and retention. ORDC's achievements in this area have been a resounding success by any measure."

Mr. Thomas told the panel that during Fiscal Year 2015 and FY 2016, ORDC provided grant and/or loan assistance to 39 economic development projects.

First Responders Push Bill To Expand Protections

First responders on Tuesday lined up to support legislation that would make them and members of the military protected classes under state law and allow for tougher sentences when they are knowingly attacked.

Proponents of the bill (HB 38) told members of the House Criminal Justice Committee that it will provide a deterrent to attacks on first responders at a time when it appears as though they are being targeted more often.

"What I have seen over the past few years is that more and more people are beginning to kill cops simply because they are cops. Things are different now and they're changing more rapidly by the day. We are at a place in American history where police are viewed with suspicion, disdain and sometimes even hatred. I don't know how exactly we got here, but we are here nonetheless," Marissa Gibson, a detective with the Morrow County Sheriff's Office whose husband was killed in the line of duty, told members of the panel.

Ms. Gibson went on to tell the panel that in 2016, 64 police officers were shot and killed across the country, 24 of them in ambush-style attacks.

Under the legislation, the offense of aggravated murder would be expanded to include purposefully causing the death of a first responder or military member when the victim was engaged in official duties or the offender's purpose was to kill a first responder or military member.

The bill also increases the penalty for felonious assault against a first responder or military member from a second-degree felony, absent any specification, to a first-degree felony. If the offender knew or had reasonable cause to know the victim's profession he or she would be required to serve a mandatory sentence of three to 11 years in prison, which would be served consecutively to any prison term imposed for offenses committed at the same time.

Frank Bova, chief community and safety officer for Cuyahoga County, told the panel that enhanced penalties could serve as an effective deterrent.

"Law enforcement officers, first responders and our military members while performing their duties should be protected from being the targets and have the peace of mind to know the legislators and citizens are protecting them, this bill assists in adding another layer of protection," he said.

Scott Maynor, president of the Northern Ohio Fire Fighters, also provided testimony in support of the bill, leading Rep. Bill Seitz (R-Cincinnati) to question whether an assailant who attacked a firefighter for having a long-standing affair with his wife would be covered under the legislation.

Mr. Maynor said he was unsure.

Rep. Seitz said the language in the measure may need to be tightened up to ensure that is not the case.

Matt Noble, sergeant-at-arms of the Ohio Fire Chiefs' Association, said firefighters have been under attack recently, including a case in Youngstown in which a fire truck was fired upon.

"There have been incidents across the United States where firefighters and EMTs have been shot, shot at and held hostage while performing their duties," he said. "Ohio is no different. We recently saw a situation occur in Youngstown last December where shots were fired at a firetruck, striking one firefighter in the leg. Two others were lucky to just have bullets rip through their jackets and miss everything else."

The panel also heard testimony from family members of first responders. Angela McDowell, the widow of Whitehall police officer Terry McDowell, who was shot and killed in the line of duty in 2001, said there have been 831 police officer deaths in the line of duty in Ohio over the years.

"While the country as a whole has been faced with our first responders being targets for senseless acts of brutality, it is time to take a stand and do the best we can to insure that tougher penalties are in place for those whose disregard for the law comes with a price," she said.

Louisiana recently passed a similar law that covers only first responders. Similar measures are under consideration in New York, Missouri and Kentucky.

Former Congresswoman, State Rep. Sutton Announces For Governor

Betty Sutton, a former member of the U.S. House of Representatives and Ohio House of Representatives, announced Tuesday she is running for governor in 2018.

Ms. Sutton, an Akron-area Democrat, said she intends to focus on job creation and building opportunities for working families.

"It's time for a change of priorities in Ohio and to focus on creating jobs and opportunities for working families rather than just giving tax breaks to the most privileged," she said in a statement.



Betty Sutton

"Ohio deserves a governor who does more than just shake the tired hands of workers who have been forced to labor too long for too little, but actually fights to help them. Ohio needs a governor who will hear the weary voices of committed teachers striving to meet more and more demands with fewer resources and who will respond to the educational needs of Ohio's children."

"I recognize Ohio's potential and appreciate the strength of our diversity. From our farmers to our manufacturers, from teachers to trade workers, from small business owners to civil servants, from working parents, in or out of the home, to those who care for our kids and elderly, I will be a Governor who understands that everyone matters," Ms. Sutton said.

She enters a Democratic race that already includes Sen. Minority Leader Joe Schiavoni of Boardman. Other Democrats could also enter the campaign.

On the Republican side, Lt. Gov. Mary Taylor has created a gubernatorial campaign committee. Others are expected to also enter the race.

Ms. Sutton (campaign website) was elected to Barberton City Council while she was in law school, and was later elected to the Summit County Council and Ohio House. In 2006, she was elected to the U.S. House, where she served three terms.

In 2013, former President Barack Obama appointed her to serve as administrator of the Saint Lawrence Seaway Development Corporation, where she led U.S. operations of the waterway.

Affordable Care Act Replacement Proposal Faces Criticism From Both Sides

Reaction on both sides of the aisle has been tepid to the U.S. House Republican plan to replace the Affordable Care Act.

The proposal, called the "American Health Care Act" by supporters and "Trumpcare" by detractors, would keep some provisions of the Obamacare law much maligned by Republicans in control in Washington, D.C. and change others.

The plan calls for age-based tax credits in lieu of the ACA's income-based subsidies, and would phase out the Medicaid expansion by 2020. Expansion beneficiaries at that point would be able to stay enrolled, but would be ineligible if they drop out of the program for 30 days.

It would also change the current Medicaid program to one in which states receive capped payments based on the number of Medicaid enrollees they have.

The plan has not been analyzed by the Congressional Budget Office, so cost and coverage estimates are not available.

U.S. Rep. Pat Tiberi (R-Galena), the chairman of the House Ways and Means Subcommittee on Health, expressed support for the plan.

"The American Health Care Act is our plan to repeal Obamacare and replace it with a 21st Century system that gives people better access to quality and affordable health care," he said. "It contains specific reforms to provide relief from Obamacare's taxes and mandates, and gives patients the tools they need to be in charge of their own care, like increased access to health savings accounts and tax credits to help individuals and families purchase the care they need."

"Our legislation contains the ideas and priorities we outlined eight months ago," he added. "We are moving forward with our deliberate and transparent approach to bring real health care solutions to the American people."

Not all Republicans are jumping on board with the plan. U.S. Rep. Jim Jordan (R-Urbana), a former chairman of the conservative House Freedom Caucus, told POLITICO that the bill is "Obamacare by a different form."

U.S. Sen. Rob Portman (R-Terrace Park) and four other Senate Republicans sent a letter Monday to Senate Majority Mitch McConnell outlining concerns that an earlier draft proposal from the House did not adequately protect the Medicaid expansion, something they said has been important in fighting the drug problem.

"While we support efforts to repeal and replace the Affordable Care Act and make structural reforms to the Medicaid program, we are concerned that the February 10th draft proposal from the House of Representatives does not provide stability and certainty for individuals and families in Medicaid expansion programs or the necessary flexibility for states," the senators wrote.

U.S. Sen. Sherrod Brown (D-Cleveland), meanwhile, attacked the plan as one that would drive up health care prices and reduce access to coverage.

"Ohioans have called my office terrified of losing their healthcare because of this plan. We cannot allow Washington politicians who get taxpayer-funded health insurance to rip coverage away from Ohioans who are battling cancer, getting regular checkups for the first time, or finally getting treatment to beat their opioid addiction," he said in a statement.

"This plan will raise prices for Ohioans - particularly older Ohioans - and kick people off of the coverage they have today," he added. "It will threaten jobs across our state by cutting funding for local hospitals that employ hundreds of thousands of Ohioans. This plan does nothing to lower healthcare costs for Ohioans, but hands a huge tax break to drug companies and insurance executives who jack up their prices."

UHCAN Ohio said the proposal would help the rich and hurt the poor. The per-capita caps to Medicaid would shift costs to the state, hurting state budgets and forcing cuts in the program, the group said. The bill also allows companies to charge higher premiums, raising out-of-pocket costs for consumers, the group said.

"This proposal takes health coverage from the poor and gives money to the rich," Executive Director Steve Wagner said in a statement. "Americans have asked their Republican members of Congress not to destroy the gains made by the ACA. Instead of listening, Republicans have proposed a bill that would strip away coverage and make care more expensive for millions of the most vulnerable Americans while cutting taxes for the wealthiest."

Agency Briefs: SOTS Ticket Lottery Announced; AG; USDA; ODJFS; State Fair

Governor John Kasich on Tuesday announced that those interested in attending the 2017 State of the State address in Sandusky on April 4 can submit their names online at governor.ohio.gov to be eligible for a random ticket lottery.

Ohioans can enter the lottery through noon March 24 and can request up to two tickets. Selected individuals will be notified by email by March 29.

Daily Activity Planner for Wednesday, March 8

Legislative Committees

House Finance: Agriculture, Development & Natural Resources Sub. (Committee Record) (Chr. Thompson, A., 644-8728), Rm. 018, 9 a.m.

- Budget testimony from Department of Commerce and Department of Agriculture

House Finance: Transportation Sub. (Committee Record) (Chr. McColley, R., 466-3760), Rm. 121, 9 a.m.

- Budget testimony from Department of Public Safety and Public Works Commission

House Finance: Primary & Secondary Education Sub. (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 121, 9 a.m.

- Biennial budget hearing featuring OEA, OFT, Ohio 8, Ohio Alliance for High Quality Education, OSBA, BASA, OASBO and Ohio Education Policy Institute Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HB 11

TAX LAWS (Scherer, G.) To expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law. (2nd Hearing-All testimony-Possible vote)

SB 36

AGRICULTURAL LAND (Hite, C.) To require that the computation of the capitalization rate for the purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. (4th Hearing-Opponent & interested party)

Senate Government Oversight & Reform (Committee Record) (Chr. Coley, B., 466-8072), Finance Hearing Rm., 9:45 a.m.

SB 10

PRIMARY ELECTIONS (LaRose, F.) To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. (3rd Hearing-All testimony-Possible amendments & vote)

SB 44

CAMPAIGN FINANCE (LaRose, F.) To allow certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online. (3rd Hearing-All testimony)

HB 32

CASINO EMPLOYEES (Seitz, B.) To specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility. (2nd Hearing-Proponent)

SB 54 **SUMMER FOOD PROGRAMS (Brown, E., Lehner, P.)** To require school districts to allow approved summer food service program sponsors to use school facilities to provide food service for summer intervention services under certain conditions. (2nd Hearing-Proponent)

SB 62 **DAY DESIGNATION (Yuko, K.)** To designate July 8 as "Harrison Dillard Day." (2nd Hearing-Proponent)

SJR 1 **CONSTITUTIONAL AMENDMENTS (Huffman, M.)** Application to the Congress of the United States for a Convention of the States under Article V of the Constitution of the United States that is limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and Members of Congress. (2nd Hearing-Proponent)

House Financial Institutions, Housing & Urban Development (Committee Record) (Chr. Dever, J., 466-8120), Rm. 122, 10 a.m.

- **Presentations by Ohio Housing Council and Coalition on Homelessness & Housing in Ohio**

HB 35 **BANKING LAW (Hughes, J.)** For the purpose of enacting a new banking law for the State of Ohio. (3rd Hearing-All testimony-Possible amendments & vote)

House Insurance (Committee Record) (Chr. Brinkman, T., 644-6886), Rm. 017, 10 a.m.

HB 27 **BWC BUDGET (Brinkman, T.)** To make changes to the Workers' Compensation Law; to make appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of the Bureau's programs. (3rd Hearing-All testimony)

HB 28 **IC BUDGET (Brinkman, T.)** To make appropriations for the Industrial Commission for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of Commission programs. (2nd Hearing-All testimony)

Senate Transportation, Commerce & Workforce (Committee Record) (Chr. LaRose, F., 466-4823), South Hearing Rm., 10:15 a.m.

HB 26 **TRANSPORTATION BUDGET (McColley, R.)** To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs. (3rd Hearing-All testimony-Pending referral)

Canceled: House Higher Education & Workforce Development (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 115, 11 a.m.

- **Presentations from the Legislative Service Commission regarding Higher Education and Workforce Development**

Canceled: Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

House Finance: State Government & Agency Review Sub. (Committee Record) (Chr. Faber, K., 466-6344), Rm. 017, 2 p.m. or after session

- **Budget testimony from Occupational, Physical Therapy and Athletic Trainers Board, Counselor, Social Worker & Marriage and Family Therapist Board, Psychology Board, Orthotics, Prosthetics, and Pedorthics Board and public testimony**

House Finance: Higher Education Sub. (Committee Record) (Chr. Perales, R., 644-6020), Rm. 311, 2:30 p.m. or after session

- **Biennial budget hearing featuring Association of Independent Colleges and Universities of Ohio**

Senate Energy & Natural Resources (Committee Record) (Chr. Balderson, T., 466-8076), Finance Hearing Rm., 2:30 p.m. or after session

SB 2 ENVIRONMENTAL LAWS (Hite, C.) To revise specified laws relating to environmental protection. (4th Hearing-All testimony-Possible vote)

House Finance: Health & Human Services Sub. (Committee Record) (Chr. Romanchuk, M., 466-5082), Rm. 313, 3 p.m. or after session

- **Biennial budget hearing featuring Barbara Sears, Director of Medicaid**
- Senate Education (Committee Record) (Chr. Lehner, P., 466-4538), South Hearing Rm., 3:15 p.m.**

SB 34 ACADEMIC YEAR (Manning, G.) To generally require public and chartered nonpublic schools to open for instruction after Labor Day. (2nd Hearing-Proponent)

House Armed Services, Veterans Affairs & Homeland Security (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 116, 4 p.m. or after session

HB 75 PROFESSIONAL LICENSES (Gavarone, T., Merrin, D.) To establish an expedited process to grant a professional license to an individual who is on active duty as a member of the armed forces of the United States, or is the spouse of such an individual, and holds a valid license in another state. (1st Hearing-Sponsor)

House Civil Justice (Committee Record) (Chr. Butler, J., 644-6008), Rm. 018, 4 p.m.

HB 7 MEDICAL PROVIDER IMMUNITY (Cupp, R.) To grant qualified civil immunity to certain medical providers who provide emergency medical services as a result of a disaster; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to provide that medical bills itemizing charges are inadmissible as evidence and an amount accepted as full payment for medical services is admissible as evidence of the reasonableness of the charges; to specify the

manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide that any loss of a chance of recovery or survival by itself is not an injury, death, or loss for which damages may be recovered; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to require that governmental agencies that receive peer review committee records maintain their confidentiality; and to clarify the definition of "medical claim." (3rd Hearing-Opponent)

HB 52

DEED SOLICITATION (Rezabek, J.) To regulate the solicitation of certain deeds. (2nd Hearing-Proponent)

House Community & Family Advancement (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 4 p.m.

HB 50

EBT CARDS (Schaffer, T.) To establish requirements for electronic benefit transfer cards issued under the Supplemental Nutrition Assistance Program. (1st Hearing-Sponsor)

Agency Calendar

State Medical Board, 3rd Fl., 30 E. Broad St., Columbus, 8 a.m. (The morning committee meetings will be followed by the full board meeting at 9:45 a.m.)

Veterinary Medical Licensing Board, 77 S. High St., Rm. 1914, Columbus, 8:30 a.m.

Real Estate Commission, 22nd Fl, 77 S. High St., Columbus, 9 a.m.

~~Canceled: BWC Pharmacy & Therapeutics Committee, 30 W. Spring St., Room 2 on Level 2, Columbus, 1:30 p.m.~~

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Ohio House Democratic Caucus new member fundraiser, Due Amici, 67 E. Gay St., Columbus, 8 a.m., (Sponsors \$1,000 - Hosts \$500 - Friends \$250)

Rep. Rick Carfagna (R-Westerville) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Committee to Elect Rick Carfagna)

Sen. Bill Coley (R-Liberty Township) news conference on bill regarding welfare benefit fraud, Harding Senate Press Rm., Statehouse, Columbus, 12 p.m.

Rep. Jay Edwards (R-Nelsonville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Jay Edwards)

Sen. Matt Dolan (R-Chagrin Falls) fundraiser, Athletic Club of Columbus, Lounge, 136 East Broad Street, Columbus, 5 p.m., (\$2,500 Chair | \$1,000 Host | \$500 Sponsor | \$350 Attendee to Friends of Matt Dolan)

Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Capital Club, 41 S. High Street, Columbus, 5 p.m., (Chair: \$5,000; Sponsor: \$2,500; Host: \$1,000; Guest: \$500 to Committee to Elect Cliff Rosenberger)

Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club of Columbus, Lounge, 136 East Broad Street, Columbus, 5 p.m., (\$1,000 Host | \$500 Sponsor | \$350 Attendee to Citizens for Hottinger)

Sen. Frank LaRose (R-Hudson) fundraiser, Athletic Club of Columbus, Lounge, 136 East Broad Street, Columbus, 5 p.m., (\$1000 Host | \$500 Sponsor | \$350 Attendee to LaRose for Senate)

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House Activity for Tuesday, March 7, 2017

INTRODUCED AND REFERRED

HCR 6 ■ **AFFORDABLE CARE ACT** (Goodman, W., Faber, K.) To urge Congress to continue its efforts to fully repeal the Affordable Care Act and to recommend that future federal health care policies restore power to the states, fund the Medicaid program through block grants to individual states, and permit the sale of health insurance across state lines.
Government Accountability & Oversight

INTRODUCED

HB 106 ■ **NON-BANK ATMS** (Patton, T., Patmon, B.) To regulate nonbank automated teller machines.

HB 107 ■ **TRAIN CREWS** (Sheehy, M., Lepore-Hagan, M.) To require the crews of freight trains to consist of at least two individuals. Am. 4999.09

HB 108 ■ **FINANCIAL LITERACY** (Hagan, C., McColley, R.) To require one-half unit of financial literacy in the high school curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." Am. 3301.079 and 3313.603 and to enact section 3333.89

HB 109 ■ **PRISON TERMS** (Patmon, B.) To create specifications that impose an additional prison term on a felony offender who commits the offense against a disabled person or elderly person and a period of Department of Youth Services commitment on a delinquent child for felony act committed against a disabled or elderly person, for felony offenses that do not delineate enhanced penalties when a disabled or elderly person is the victim of the violation. Am. 2152.17, 2929.13, and 2929.14 and to enact sections 2941.1425 and 2941.1426

HB 110 ■

APPRENTICESHIP PROGRAMS (Hagan, C., Dean, B.) To create a subprogram of the College Credit Plus Program that permits students to participate in certified apprenticeship programs. Am. 3365.16

HB 111 ■

MENTAL HEALTH COMMITMENTS (Carfagna, R., Ryan, S.) To authorize certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination. Am. 5122.01 and 5122.10

HB 112 ■

LEASE TERMINATIONS (Gonzales, A.) To allow a tenant seeking inpatient treatment for substance abuse to terminate or fail to renew their lease. Am. 5321.17

HB 113 ■

UNION DUES (Brinkman, T.) To prohibit any requirement that employees of private employers join or pay dues to any employee organization and to establish civil and criminal penalties against employers who violate that prohibition. Am. 4119.01, 4119.02, 4119.04, 4119.05, 4119.06, 4119.07, 4119.08, and 4119.99

HB 114 ■

RENEWABLE ENERGY (Blessing, L.) To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program. Am. 4928.142, 4928.143, 4928.20, 4928.61, 4928.62, 4928.64, 4928.641, 4928.643, 4928.644, 4928.645, 4928.65, 4928.66, 4928.662, 4928.6610, 4928.6611, and 5727.75 and to enact sections 4928.031, 4928.647, 4928.6620, and 4928.6621 of the Revised Code and to amend Section 257.80 of Am. Sub. H.B. 64 of the 132nd General Assembly and to repeal Sections 5, 6, 7, 8, 9, 10, and 11 of Sub. S.B. 310 of the 130th General Assembly.

HB 115 ■

COMMUNICATION DISABILITIES (Gavarone, T., Wiggam, S.) To establish a database of persons who voluntarily register as being diagnosed with a communication disability or who voluntarily register a minor child or ward as the parents or guardians of such persons for purposes of law enforcement notification. Am. 3304.23 and 5502.08

HB 116 ■ **SALES TAX (Merrin, D.)** To exempt prescription eyeglasses, contact lenses, and other optical aids sold by licensed dispensers from sales and use tax. Am. 5739.01 and 5739.02

HB 117 ■ **OPIOID THERAPY (Huffman, S., Brenner, A.)** To establish a statewide pilot program for the provision of long-acting opioid antagonist therapy for offenders convicted of an opioid-related offense who will be released from confinement on supervised release, and to specify that the therapy is to be provided during both their confinement and their supervised release. Am. 2929.16 and 2929.26 and to enact sections 341.43, 753.34, and 5145.33

CALENDAR FOR COMING SESSION

HB 31 ■ **GOVERNMENT CONTRACTING (Cupp, R.)** To abolish the Government Contracting Advisory Council.

REFERRED

Criminal Justice:

HB 92 ■ **PUBLIC INDECENCY (Schaffer, T.)** To require an offender who knowingly commits the offense of public indecency under certain circumstances involving exposure of private parts likely to be viewed by minors and for the purpose of sexual arousal or gratification to register as a Tier I sex offender/child-victim offender.

HB 96 ■ **SEX OFFENSES (Hughes, J.)** To increase the penalty for sexual imposition when the offender previously has been convicted or pleaded guilty three or more times of any of several specified sex offenses and to repeal the corroboration requirement for a sexual imposition conviction.

HB 97 ■ **SEX OFFENSES (Johnson, G., Boggs, K.)** To eliminate the spousal exceptions for the offenses of rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, sexual imposition, importuning, and public indecency and to permit a person to testify against the person's spouse in a prosecution for any of those offenses.

Education & Career Readiness:

HB 98 ■ **CAREER INFORMATION (Duffey, M., Boggs, K.)** Regarding the presentation of career information to students.

Federalism & Interstate Relations:

HB 93 ■ **TAX RETURNS (Clyde, K.)** To require a candidate for President or Vice-President of the United States to submit copies of the candidate's five most recent federal income tax returns for publication on the Secretary of State's official web site.

Finance:

HJR 3 ■ **SCHOOL BONDING (Brenner, A.)** Proposing to enact Section 12 of Article VIII of the Constitution of the State of Ohio to conditionally authorize the issuance of state obligations to refund pending school district obligations, to conditionally waive beginning in 2020, the requirement that schools levy property taxes to pay debt charges on their obligations, and to conditionally authorize a treasury fund that is restricted exclusively to educational purposes.

HB 102 ■ **SCHOOL FUNDING (Brenner, A.)** To replace locally levied school district property taxes with a statewide property tax and require recipients of certain tax exemptions to reimburse the state for such levy revenue lost due to those exemptions; to increase the state sales and use tax rates and allocate additional revenue to state education purposes; to repeal school district income taxes; to require the Treasurer of State to issue general obligation bonds to refund certain school district debt obligations; to create a new system of funding schools where the state pays a specified amount per student that each student may use to attend the public or chartered nonpublic school of the student's choice, without the requirement of a local contribution; to eliminate the School Facilities Commission; to eliminate the Educational Choice Scholarship Pilot Program, Pilot Project Scholarship Program, Autism Scholarship Program, and Jon Peterson Special Needs Scholarship Program; to eliminate interdistrict open enrollment; to require educational service centers to transport students on a countywide basis; and to permit school

districts to enter into a memoranda of understanding for one district to manage another.

Financial Institutions, Housing & Urban Development:

HB 104 ■ **CREDIT ACCOUNT DEBT (Schaffer, T.)** To allow vendors to receive a refund of sales tax remitted for bad debts on private label credit accounts when the debt is charged off as uncollectible by the credit account lender.

Health:

SB 23 ■ **DAY DESIGNATION (Terhar, L.)** To designate January 31 as "Omphalocele Awareness Day."

HB 101 ■ **EPINEPHRINE DISPENSING (Merrin, D.)** To authorize an epinephrine autoinjector substitution when a prescription is filled or refilled, to authorize epinephrine to be dispensed without a prescription under a physician-established protocol, and to declare the act the "Epinephrine Accessibility Act."

Insurance:

HB 99 ■ **PNEUMOCONIOSIS CLAIMS (Cera, J.)** To modify workers' compensation benefit amounts for occupational pneumoconiosis claims and to create the Occupational Pneumoconiosis Board to determine medical findings for such claims.

State & Local Government:

HB 94 ■ **MONTH DESIGNATION (Sykes, E., Perales, R.)** To designate February as "Teen Dating Violence Awareness Month."

HB 103 ■ **FISCAL PLANNING COMMISSIONS (Reineke, B.)** To modify the composition and powers of the financial planning and supervision commission of a political subdivision that is in a state of fiscal emergency and to clarify the duties of that political subdivision.

Transportation & Public Safety:

HB 90 ■ **ROAD NAMING (Antonio, N., Patton, T.)** To designate Interstate Route 90 in Cuyahoga County as "Officer David Fahey Memorial Highway."

HB 91 ■ **POLICE CHIEF TRAINING (Cupp, R.)** To require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course for newly appointed village, city, and township chiefs of police.

HB 95 ■ **DISTRACTED DRIVING (Hughes, J., Seitz, B.)** To establish an enhanced penalty for committing a moving violation while distracted if the distraction is the apparent cause of the violation and to reenact provisions of law that specified that certain electronic wireless communications device violations were allied offenses of similar import.

HB 100 ■ **ROAD NAMING (Lipps, S.)** To designate a portion of State Route 73 in Warren County as the "Officer Bill Johnson Memorial Highway."

Ways & Means:

SB 9 ■ **SALES TAX HOLIDAY (Bacon, K.)** To provide for a three-day sales tax "holiday" in August 2017 during which sales of clothing and school supplies are exempt from sales and use taxes.

COMMITTEE HEARINGS

Financial Institutions, Housing & Urban Development

HB 46 ■ **COUNTY INVESTMENTS (Sprague, R.)** To modify the qualifications regarding notes eligible for investment of county inactive moneys and money in the public library fund. (CONTINUED; 1st Hearing-Sponsor)